Remnants of Early Latin

F. D. Allen

Ginn & Heath

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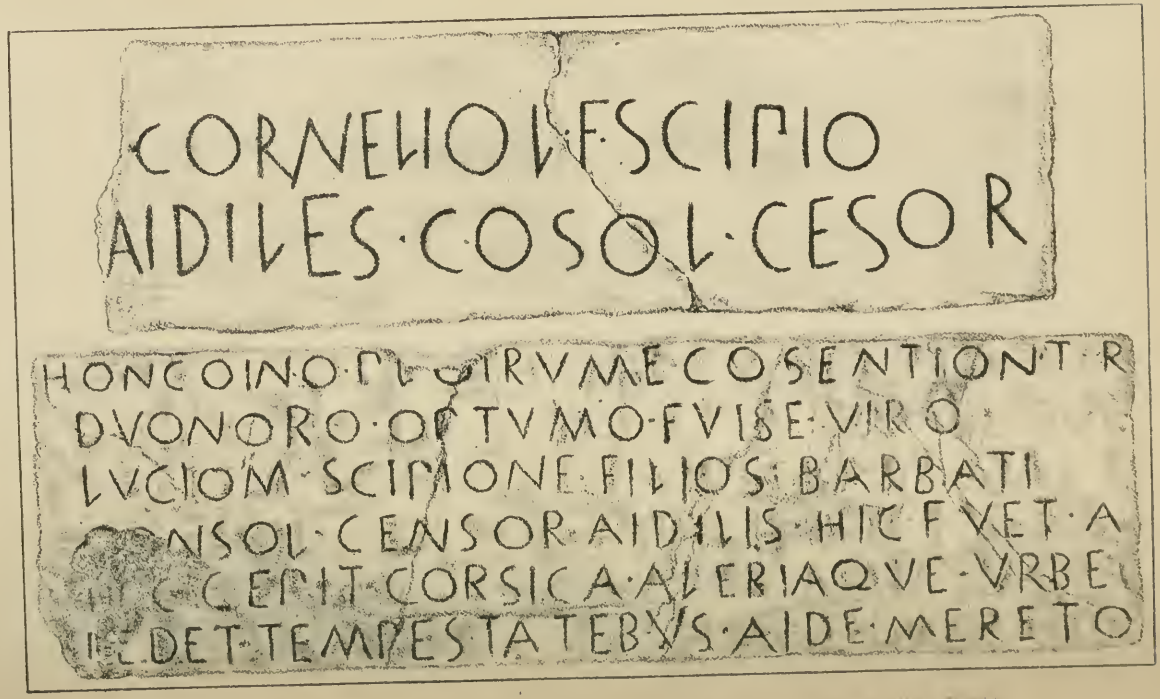

Epitaph of L. Cornelius Scipio, n. 75. From Ritschl, Prisc. Latin. Monum., Tab. XXVIII.

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REMNANTS OF EARLY LATIN

SELECTED AND EXPLAINED

FOR THE USE OF STUDENTS

BY

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PREFACE.

IN undertaking this little book I proposed to myself to get together in small compass, and in a convenient shape for reading and reference, such of the remains of the earliest Latin — primarily inscriptions — as are most important as monuments of the language, with enough explanation to make them fairly intelligible. The need of such a collection had been felt, I found, by others as well as myself, and this need had been only partly met by Wordsworth's "Fragments and Specimens of Early Latin" (London, 1874), a work which, with all its merits, is cumbersome, ill arranged for reference, and too expensive to be widely circulated. The present book is designed first of all for the more advanced of our college students, but I venture to hope that maturer scholars may find it useful as a convenient handbook, since it comprises within a few pages matter somewhat scattered and not very generally accessible.

The book is in no wise meant to teach palaeography. The inscriptions are presented simply as specimens of Latin. The text of each is given in minuscules, without any attempt at representing the appearance or arrangement of the stone or bronze. To have done this last, even roughly, would have greatly increased the bulk and expense of the volume (especially as most of the inscriptions would necessarily have been repeated in minuscules after all, for cursory reading) without rendering it any better for its main purpose. I desired furthermore to avoid everything which would needlessly confuse the eye or the mind of the reader. Thus it seemed best to indicate to the eye omitted final *s* and *m*.

And in some cases I have not felt bound to follow the original documents in respect of the division of words; thus I have written *plebeive*, *sublegi*, *quasei* (n. 106 II[11 18], n. 109), not *plebei ve*, *sub legi*, *qua sei*; as such inequalities signify nothing but the passing caprice of the writer. Where prepositions are joined to the following noun some will perhaps wish that I had printed them so. But this usage, by no means characteristic of early Latin, but rather of the imperial period, was at no time the prevailing one, and it did not seem worth while to perplex the reader with forms like *incastreis* (n. 81) and *obeas res* (n. 104[43]). But in general the originals have been followed even in the division of words.

As to the selection of inscriptions, I drew the line at Sulla's dictatorship, and admitted nothing later than the law about the quaestors, n. 106. Down to this period it was my aim to give pretty much all the inscriptions that illustrated the old language in any striking way, yet by rigidly excluding less profitable matter to keep the book within narrow limits. Accordingly I threw out (1) inscriptions too fragmentary to give any connected sense, (2) those of little or no linguistic interest, (3) all un-Latin inscriptions, for instance CI. 183 and 194, (4) the Lex Acilia repetundarum and the Lex agraria, though sorely against my will, for reasons given on p. 69. That I have made everywhere the best possible selection, I am by no means sure. — The arrangement of the inscriptions is approximately chronological, — rather more so than in the Corpus Inscriptionum, — but it was natural and convenient to put like material together. And of course in a great many cases the evidence on which monuments are assigned to this or that period is presumptive merely. The Carmen Arvale and the Columna rostrata are put last of all, for reasons which will be apparent.

The book might reasonably have ended with Part I. But it seemed a pity to ignore those few remains, of a legal and liturgical nature, which in their origin far antedate the earliest of our inscriptions and the beginnings of literature, — remains which, in spite of the modernizing process they have undergone, are still in many ways hardly less instructive monuments than the

inscriptions themselves. In Part II., therefore, the most noteworthy of this material has been collected. Here of course only the outward form and the diction, with now and then a grammatical detail, can lay claim to antiquity. In these selections I have followed the best editions, noting carefully the few changes I have allowed myself. To have attempted at all to restore the ancient grammatical forms would have been profitless, but I have silently corrected *vu* and *uu*, writing *diuom*, *mortuom*, and the like, even against the tradition. Occasion has been here taken to illustrate somewhat fully the nature of the oldest Roman poetry, according to the principles first laid down by Westphal. It is hoped that this feature, which is quite new, may not be unwelcome. — All literary matter, it will be observed, has been excluded. It was no part of my plan to edit the fragments of Naevius, Ennius, and other early poets. If even the most readable of these had been added, the book would have become much larger, without, as it seemed to me, a corresponding increase in usefulness. Possibly at some time hereafter it may seem best to embody some of these fragments in a separate volume similar to this.

The commentary touches mainly on matters of language. It was not my intention to make the selections the vehicle of systematic instruction in Roman antiquities or law; only such points as came up I have tried to explain enough to make a fair understanding of the text possible. Especially in matters of law the interpretations had to be strictly exoteric; they are not such as a jurist would need, but I hope that for untechnical statements they are fairly accurate. Being myself an ἰδιώτης in this department, I could not have attempted more, had it been desirable.

The foundation of the notes in the inscriptional part is, as a matter of course, Mommsen's commentary in the Corpus Inscriptionum. And a good deal of aid, first and last, has been derived, in both parts, from Wordsworth's book mentioned above, — in the main a thorough and painstaking work, despite occasional lapses. These special sources must be acknowledged. But there was plenty of opportunity to supply new remarks and illustrations. In grammar, Corssen's works have been laid most frequently under contribution.

In the Introduction, in spite of the temptation to expand it into a treatise on Latin grammar, I have only registered such leading facts as seemed essential to an intelligent reading of the selections. It is suggested that students learn carefully this introductory part before proceeding to the body of the work.

Several friends have helped me with advice here and there. But I am under the greatest obligations to Professor Lane of Harvard University. He has taken the warmest interest in the work, and besides lending me books, has read and criticised the proof-sheets of the whole. I am sure that there is not a page of the book but is the better for some correction or addition suggested by him; and even this is saying too little. I am also indebted, for aid on points of law, to Professor Gurney of Harvard University and Mr. A. S. Wheeler of this college, both of whom have examined parts of my proof-sheets. To all these I desire to express my hearty thanks.

Thus much in explanation of the plan of the work, and of what is — as well as what is not — in it. The making of the little volume has not been altogether an easy task, and I cannot doubt that it has many defects; I only hope that they are not so serious as to impair altogether its usefulness. I shall be very grateful to any one who will point out errors or propose improvements.

F. D. A.

New Haven, November, 1879.

CONTENTS.

PAGE.

INTRODUCTION 3

Chief Phonetic Peculiarities of Early Latin 5

Chief Peculiarities of Early Latin Inflexion 8

The Saturnian Verse 12

PART I. INSCRIPTIONS.

Oldest Coins (n. 1–18) 15

Inscriptions on Cups, Mirrors, and the like (n. 19–45) . . . 16

Pisaurian Dedications (n. 46–57) 19

Several Smaller Inscriptions, presumably older than the second Punic war (n. 58–73) 20

Epitaphs of the Scipios (n. 74–79) 22

Law of Luceria about a Sacred Grove (n. 80) 26

Decree of L. Aemilius Paullus (n. 81) 27

Senatus Consultum de Bacchanalibus (n. 82) 28

Smaller Inscriptions, from the second Punic war to about the Gracchan period (n. 83–97) 32

Dedicatory Inscriptions of Mummius (n. 98, 99) 34

Milestone of Popilius (n. 100) 35

Boundary-stones (Termini) (n. 101, 102) 36

Tabula Bantina (n. 103) 37

Decision of the Minucii between the Genuates and their tributaries (n. 104) 41

Senatus Consultum de Tiburtibus (n. 105) 48

Lex Cornelia de XX quaestoribus (n. 106) 49

Inscriptions of Campanian magistri pagorum (n. 107–109) . . . 54

PAGE.

Several Dedicatory Inscriptions, of the time of the Gracchi or later (n. 110–116) 56

Several Public Inscriptions, of about the same period (n. 117–123) 58

Sepulchral Urns (n. 124–135) 60

Epitaphs, dating from about the Gracchan period on (136–148) . 61

Song of the Arval Brothers (n. 149) 65

Columna Rostrata (n. 150) 67

Lex Acilia repetundarum and Lex agraria, brief notice (n. 151, 152) 69

PART II. OLDEST REMAINS FROM LITERARY SOURCES.

Old Prayers from Cato de re rustica (n. 153–156) 70

Fragments of the Carmina Saliaria (n. 157) 74

Formulae of Calatio (n. 158) 75

Form of a Devotio (n. 159) 76

Formulae of the Fetiales (n. 160–162) 77

Form of proposing a Ver Sacrum (n. 163). 80

Form of Adrogatio (n. 164) 81

Fragments of the 'Leges Regiae' (n. 165–173) 81

Fragments of the Laws of the Twelve Tables (n. 174–207) . . 84

Lex Silia de ponderibus publicis (n. 208) 93

Proverbs and Saws (n. 209–216) 93

Verses from old Triumphal Inscriptions (n. 217–220) . . . 95

INDEX 97

KEY TO THE INSCRIPTIONS 105

REMNANTS OF EARLY LATIN.

INTRODUCTION.

1. By Early Latin we usually mean the language spoken at Rome down to about the time of the first civil war, — say 672/82, — that is, to the beginning of the Ciceronian period. Of this earlier Latinity we possess, on the whole, rather scanty remains.

2. Through literary channels nothing has reached us in an entire condition except the plays of Plautus and Terence, twenty-six in number, and the short prose treatise of Cato *de re rustica*. Of other poets — Naevius, Ennius, Lucilius, etc. — we have a good many fragments; of prose writers much fewer. From a time anterior to the beginning of literature, there have been preserved to us a very few prayers, laws, and other formulae; most of this material will be found in Part II. of this book. But all these remains, transmitted to us as they have been indirectly through many hands, have unfortunately been more or less modernized, so that from them alone we could gain but an imperfect idea of the early language.

3. It is the Inscriptions of this period which afford us the surest means of acquainting ourselves with the Latin language in its earlier stages. These alone give certain testimony as to the forms of speech of the time when they were

written. Of late years there has been greatly increased activity in collecting and studying Latin inscriptions.

4. The recently awakened interest in the study of early Latin, which has gone hand in hand with the historical or 'comparative' study of language generally, received its first distinct impulse from Friedrich Ritschl (b. 1806, d. 1876), who besides his well-known labors on Plautus, and numerous other contributions, published in 1862 "*Priscae Latinitatis Monumenta Epigraphica*," a collection of the earliest inscriptions with admirable fac-simile representations. All inscriptions of the republican period are united, with fuller commentary, in the first volume of the "*Corpus Inscriptionum Latinarum*" (Berlin, 1863), edited by Theodor Mommsen. Among the many others who have furthered these investigations, Wilhelm Corssen (b. 1820, d. 1875) deserves special mention for his grammatical researches, embodied in the large work, "*Aussprache, Vokalismus und Betonung der lateinischen Sprache*," 2 vols. (2d edit., Leipzig, 1868–70), and in two smaller books.

5. The Romans learned the art of writing and received the alphabet from the Greeks of Cumae,[1] at a time not to be exactly defined. The oldest extant inscriptions date from about 300 B.C., but writing is certainly known to have been practised, though probably to a limited extent, long before that period.

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[1] The Cumaeans used the old West-Greek alphabet differing in several respects from the later Attic alphabet familiar to us. The Romans adopted it without essential change, except that they rejected the signs for θ, χ, ϕ, ($\oplus$ Ψ Φ) as useless for their language, and altered the function of the sign F. The first Roman alphabet, of twenty-one signs, must have been (neglecting minor differences in the form of a few letters),—

A B C (=*g*) D E F Z H I K (=*c*) L M N O P Q R S T V X,

the sign C being used exclusively for the sound *g*, and K always for the sound *c*. Then K went gradually out of use, and C was for a time used to designate both sounds, *g* and *c*. This being presently found inconvenient, a new sign, G, a modification of C, was invented for the *g*-sound, and received its place in the alphabet after F, in place of Z, which had been meanwhile given up as needless. So arose the new Roman alphabet, also of twenty-one letters, —

A B C (=*c*) D E F G (=*g*) H I K (*seldom used*) L M N O P Q R S T V X.

Chief Phonetic Peculiarities of Early Latin.

6. Diphthong **ai** for later *ae*: *quaistor*.

7. Diphthong **oi** for later *oe*: *foidus*.

8. Diphthong **oi** (**oe**) for later *ū*: *oinos* = *ūnus*.

9. Diphthong **ei** preserved. This diphthong had an important place in the earliest Latin sound-system, but we find it subject to decay even in our oldest monuments of written Latin, passing sometimes into *ē*, sometimes into *ī*; finally, in the 'classical' period, *ī* became its fixed representative. But meanwhile, after *ei* had assumed a simple sound, it came in turn to be used in place of *ī* in words where it was not etymologically justified; that is, where there never had been a real diphthong pronounced.

NOTE 1. The original *ei* seems first to have passed into a simple sound intermediate between *ē* and *ī*, so that both *ē* and *ī* were likely to be substituted for it in writing. Later this half-way sound gradually settled down into *ī*. Accordingly *ei* came to be looked on as a convenient graphical designation for the long *i*-sound, and was written indifferently for any *ī*, very seldom for *ē*.

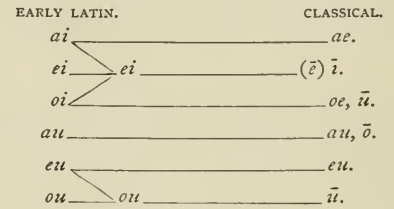
NOTE 2. We thus distinguish two sorts of *ei*. (1.) The genuine diphthong which was once pronounced as such, so that the diphthongal spelling is etymologically justified. This is the case for instance in root-syllables as strengthening of *i*, as *deico* (*dīc-*), *feidus* (*fīd-*), like λείπω (λῖπ-); and in the dative singular of the third declension, *virtutei*; also in the nominative, dative, and ablative plural of the second declension, *virei*, *doneis* (where it stands for still older *oi*), and in the dative and ablative plural of the first declension, *vieis* (where it stands for older *ai*); so, too, in the pronouns *heic* and *quei*, in *sei* 'if'; and in other words. This genuine *ei* is found in the earliest inscriptions. (2.) The spurious *ei*, never pronounced as a diphthong, but merely written in place of *ī*. It is unknown in the earlier inscriptions, but frequent from about the Gracchan period (620/134) on. Examples are *ameicus*, *audeire*; the accusative plural and ablative singular of *i*-stems, as *omneis*, *fontei*; the infinitive passive, as *darei*; also the

genitive singular of the second declension, as *populei*;[1] and the perfect indicative, *fecei*, *posedeit*. In *tibei*, *sibei*, *ibei*, *ubei*, *nobeis*, *vobeis*, *utei*, the diphthongal spelling reaches further back, and may be well founded, though it is difficult to account for it etymologically.

10. Diphthong **ou**, in place of later *ū*: *douco*, *Loucina*.

NOTE. This diphthong is almost always a strengthening of *u* in root-syllables; *douco* (*dŭc-*) as φεύγω (φῠγ-). The very oldest Latin would appear to have had in some cases *eu* for this: see n. 157 *a*. Very rarely *ou* appears as a mere graphical sign for *ū*.

11. The earliest Latin is thus seen to have had a complete system of six diphthongs, whose relations to the later vowel-system may be thus exhibited: —



12. **ŏ** for later *ŭ*: as *consol*, *opos*; and (less frequently) **ĕ** for later *ĭ*: as *soledus*, *oppedum*.

13. **ov** for later *u*: *sovos* (*suos*), *pover* (*puer*).

14. The studious avoidance of the successions *uu* and *vu*, by retaining older *uo*, *vo* (or by using *c* for *qu*), as *servos*, *sequontur* (or *secuntur*), etc., is not peculiar to early Latin, but was the almost unvarying usage until after the Augustan epoch. But the early Latin avoided *ii* and *ji* no less carefully. The genitive singular of stems in *-io-* is invariably contracted, *consilī*. The nominative, dative, and

[1] Although there would seem at a very remote period to have been a diphthong here, namely *oi*, yet the oldest monuments have uniformly *i*: see notes on n. 82, l. 7 (*Latini*), and on n. 99, v. 4 (*cogendei*).

ablative plural of the same, are very seldom contracted, but as a rule are written *-iei* and *-ieis;* and just so perfects like *petīī* appear always as *petiei, petieit,* except when they are contracted, as *obīt* for *obiit.* In these cases, *ei* represents the sound midway between *ē* and *ī*, not a pure *ī*. Such forms as *filiī, filiīs, petiī* are quite foreign to the language of this period. The compounds of *iacio* avoid *ji* by dropping *j: abicio;* and stems in *-jo-* and *-jā-* make, for example, genitive *Gāī*, dative plural *Pompēīs, Bāīs.*

15. The absence of the aspirates, **ch, th, ph.** The older language had for them simple *c, t, p.* Even in Greek words, *χ, θ, φ* are represented by the simple 'smooth' mute: *Corintus.*

NOTE. The aspiration begins to creep in at a pretty early period in isolated words: *triumpho* (n. 98, 145 B.C.), *pulcher* (102 B.C.), *lumpha* (n. 116).

16. Preservation of older **s** for later *r:* only in isolated forms anterior to our earliest inscriptions: *meliosem* = *meliorem.*

The following peculiarities must be regarded as partly graphical.

17. Omission of final **s**: *Cornelio*^{s}. This occurs chiefly in the very oldest inscriptions.

NOTE. Yet final *s* must have had for long afterwards a weak sound, as it is sometimes neglected in versification by all the pre-Augustan poets.

18. Final **t** is rarely left off in the very oldest monuments: *dede*^{t}.

19. Omission of final **m**: *pocolo*^{m}. It had always in Latin a slight and obscure sound, and is frequently neglected in writing in the older inscriptions. Later — say after 200 B.C. — it is much more constantly written.

20. Omission of **n** before *s: cēsor, cōsol.* In this situation *n* had only a slight sound, but it nasalized and lengthened the preceding vowel.

The following are merely graphical peculiarities.

21. Double consonants were written single until after 200 B.C.; *eset, Marcelus;* and for more than a hundred years later the usage is variable; but it must not be inferred that they were pronounced as single consonants.

22. Doubling of vowels to indicate their length: *aara.* This was a temporary fashion, lasting from the time of the Gracchi (134 B.C.) to about 75 B.C. The vowels *i* and *o* are never doubled.

23. The use of **q** for *c* before vowel *u : pequnia;* and the more frequent use of **k.**

24. The writing of **xs** for *x*, as *saxsum*, belongs mostly to the Gracchan period.

25. Of the use of the sign C as *g* (see foot-note, p. 4), there are but scanty traces on existing coins and inscriptions, though we know from ample testimony that in earlier times it was so employed; namely, in the laws of the Twelve Tables. But soon after 300 B.C. the sign G was already in use. It is perhaps needless to say that, in the abbreviations *C., Cn.* (for *Gaius, Gnaeus*), the sign C is this old *g*. There were no such names as *Caius, Cnaeus.*

Chief Peculiarities of Early Latin Inflexion.

A-stems.

26. Nominative singular with long **-ā** : *famā.*

27. Genitive singular in **-āī** (uncontracted) : *aquāī.*

28. Genitive singular in **-ās** : *terrās.*

29. Genitive singular in **-ais** (**-aes**) : *Prosepnais;* in inscriptions only.

30. Ablative singular in **-ād** : *praidād.*

O-stems.

31. The endings **-os** and **-om** in nominative and accusative until shortly before the second Punic war — say about 520/234.

32. The endings *-ios* and *-iom* are rarely shortened to **-is** and **-im**: *Clodis*. These forms are provincial and plebeian.

33. Ablative singular in **-ōd**: *poplicōd*.

34. Nominative plural in **-ēs, -eis, -īs**: *virēs, vireis*.

35. Genitive plural in **-ōm, ūm**: *Romanōm, sociūm*.

NOTE. This is the older formation. It is not contracted from *-ōrum*.

36. Neuter plural nominative in long **-ā**: *oppidā*. So also the *i-*, *u-*, and consonant-stems: *omniā, verberā*.

Consonant and I-stems.

37. Genitive singular in **-us, -es**: *Venerus, Apolenes*.

38. Ablative singular in **-īd**, and in **-ē**: *airīd, patrē*.

NOTE. Older **-ēd**, for consonant-stems, is to be assumed, but is not well attested. The ablative *-d*, in these and in other stems, disappeared entirely soon after 200 B.C.

39. Nominative plural of *i*-stems rarely in **-īs** (or *-eis*). The accusative plural of the same in **-īs** (often spelt *-eis*) is, on the contrary, very common.

40. The early poets have sometimes **-būs** long in dative and ablative plural.

U-stems.

41. Genitive singular in **-uos** and **-uis**: *senatuos*.

42. Genitive singular in **-ī**: *senatī*.

43. Ablative singular in **-ūd**: *magistratūd*.

Forms of Pronouns.

44. The forms **mēd, tēd, sēd,** used as accusative as well as ablative: *inter sēd.*

45. Genitives **mis** and **tis** rarely in poets.

46. Forms **tovos, sovos,** for *tuos, suos:* cp. 13.

47. **eis,** nom. sing. **eeis, eis,** nom. pl. (cp. 34.)
ēiei, dat. sing. **ēieis, eeis,** dat. abl. pl.
im, em, acc. sing. **ĭbus,** dat. abl. pl.

48. **hēc** (for* *heic*) nom. sg. **honc,** acc. sing.
heic(e), loc. sing. **heis(ce), hīs(ce),** nom. pl. (cp. 34.)
hōius, gen. sing.
hoic(e), dat. sing. **hībus,** dat. abl. pl.

49. Forms **ollus** or **olle,** etc., for *ille.*

50. Demonstrative stem *so-, sa-:* accusatives **sum, sam, sos, sas.** From this stem **sei-c, sī-c** is the locative.

51. **quei,** nom. sg. and pl. **quōiei, quoi,** dat. sing.
quōius, gen. sing. **quēs,** nom. pl. (cp. 34).

Verbal Forms.

52. Final **-āt** preserved long in

present indic. (formed by contraction): *versāt* (Ennius).
present subjunctive: *augeāt* (Ter.).
imperfect indicative: *ponebāt* (Enn.). Also pluperfect indicative, but no old examples.

53. Final **-ēt** preserved long in

present indic. (formed by contraction): *habēt* (Plaut.).
present subjunctive: *dēt* (Plaut.); also future indicative, but no sure examples.
imperfect and pluperfect subjunctive: *essēt, fuissēt* (Enn.).

54. Final **-īt** preserved long in

present indicative of *i*-conjugation (formed by contraction): *scīt* (Plaut.).
present subjunctive: *sīt, velīt* (Plaut.).
future indicative: *erīt, venībīt* (Plaut.).
perfect indicative: see below, 57.

55. Long **ī** in forms of perfect subjunctive and future perfect indicative: *fuerīs, intulerīt, venerīmus, dederītis.*

56. Infrequent and hard to explain is **-īt** in the present indicative of the third conjugation, as *ponīt* (Enn.).

57. The perfect indicative is peculiar; the following points should be noted: (1.) Perfects in *-īī* are invariably written with **-iei-** in the inscriptions, so far back as our knowledge goes: *petiei, interieisti, redieit.* For the reason, see above, 14. (2.) The third person singular of other perfects ends in the oldest inscriptions in **-ēt** and **-īt** indifferently; from the Gracchan period on in **-eit** and **-īt**. Its almost uniform length (more stubborn than that of other final syllables in *-t*) is attested by the poets. (3.) The third person plural has throughout the forms with and without **-nt** side by side: see note on n. 68.

58. Imperfect in **-ībam** for *-iebam: scībam.* The future in **-bo** has a more extended use than in later Latin: *parībo, scībo.*

59. Shorter future perfect in **-so** and perfect subjunctive in **-sim**: *faxo, capsim, occīsit; servassit, habessit.*

60. Present subjunctives **duim, duīs, duit, duint,** 'give'; **edim,** etc., 'eat'; like *sim* and *velim. Sim* occurs in the older forms **siem, siēs, siet, sient**; and ******veliem*, ******duiem*, ******ediem*, are likewise to be assumed.

NOTE. These are old optatives: *(e)s-ie-m* = ἐ(σ)-ίη-ν; ******du-ie-m* = δο-ίη-ν.

61. Present subjunctives **duam, duās,** etc., 'give'; **fuam, fuās,** etc., 'be.'

62. Imperative singular active in -tōd : *estōd.* Very rare.

63. Imperative singular middle in -mino : *praefamino* = *praefator.*

64. Infinitive passive and middle in -ier : *darier.*

The Saturnian Verse.

65. Saturnian is the name given by the Romans to that form of verse most used by them in early times. It is an indigenous Italic metre, and before the introduction of the dactylic hexameter and other Greek metres, it received, at the hands of Andronicus and Naevius, some slight degree of literary culture.

66. Each verse consists of two tripodic series, separated by a caesura; both with trochaic close (⏑ –), and the first with anacrusis. The *theses* (ictus-syllables) are long, but may be resolved into two shorts. The interior *arses* and the anacrusis are either a long syllable, or a short, or two shorts; and the arsis before the last thesis of each series may be suppressed. The scheme accordingly is :

⏑⏑ ⏑⏑ ⏑⏑ ⏑⏑ (⏑⏑) ⏑⏑ – | ⏑⏑ ⏑⏑ ⏑⏑ (⏑⏑) ⏑⏑ –.

For examples see n. 74–77, 98, 111, 137, etc.

67. A secondary form has the first series catalectic, but adds an anacrusis to the second. For an example, see n. 75 (*b*), v. 1.

68. Rarely *tetrapodic* series occur among the Saturnians. They are longer than the above by one syllable — an additional thesis at the end. For an instance see n. 75 (*b*), v. 6.

69. The Saturnian seems to be a development of a still older and ruder Italic verse-form, in which the most ancient *carmina* were conceived. *Carmen* means 'formula,' 'set form of words'; such in the earliest times were always in some sort of verse, however rude. This rhythmical character, before the art of writing was known, was all that gave such formulae any permanence, and preserved them from constant change. Accordingly we find that not only the prayers and proverbs, but the laws — or rather legal maxims — of this period, and the set forms of speech of political and religious life, are constantly spoken of as *carmina*. Of the outward form of this earliest poetry we can form some idea from such specimens as n. 153 flg. It is *based on word-accent* rather than on quantity, and is in this respect like English verse. The theses (ictus-syllables) are not necessarily long, but the accented syllable of every word, whether long or short, must stand as thesis. For the rest the general rhythm is not unlike the Saturnian, but the verse is more freely constructed, and syncopation (omission of the arsis) is much more frequent. The rhythmical divisions correspond in general with divisions of the sense. Each half-verse has *four*, rather than three, ictus; but when, as is usual, the two last are brought together by syncopation, the last does not receive much stress. See further the note on n. 153.

EXPLANATION OF SIGNS.

CI.: *Corpus Inscriptionum Latinarum.* Vol. I., edidit Theod. Mommsen.

PLM.: Ritschl's *Priscae Latinitatis Monumenta.*

Eph. Epigr.: *Ephemeris Epigraphica* (supplement to the Corpus Inscriptionum).

In the text:

Italics indicate additions by conjecture; in the inscriptions they supply what has been broken off or effaced: as Corn*elios.*

Parentheses indicate the filling out of abbreviations: as pr(aetor).

Small final letters (as in omne^{m}) supply, for convenience in reading, consonants which have been neglected in writing because of their weak sound; see Introduction, 17–19. They are to be pronounced either not at all, or very slightly.

In the notes: a prefixed asterisk signifies a hypothetical form: **dedant.*

Dates are given thus: 520/234; that is, 520 A.U.C.= 234 B.C.

Part I.

INSCRIPTIONS.

Oldest Coins.

1. Romanom *or* Romano^{m}.
2. Roma.
3. Corano^{m} *or* Korano^{m}.
4. Coza *or* Cozano^{m}.
5. Alba.
6. Caleno^{m}.
7. Suesano^{m}.
8. Suesano^{m} (*reverse*), Prboum (*obverse*), (*or* Proboum, Probom).
9. Paistano^{m}.
10. Benventod (*obv.*), Propom (*rev.*).
11. Aisernino^{m}.
12. Aisernio^{m}.
13. Aisernino^{m} (*rev.*), Volcanom (*obv.*).
14. Tiano^{m}.
15. Caiatino^{m}.
16. Aquino^{m}.
17. L. Pulio^{s} L. f., C. Modio^{s} Cn. f.
18. Se. Pos., P. Bab.

1–18 selected from CI. 1–27. Coins, chiefly of the fifth century a.u.c., from Rome, Cora, Cosa, Alba, Cales, Suessa, Paestum, Beneventum, Aesernia, Teanum, Caiatia, Aquinum. The city is mostly indicated by the gentile name in the genitive plural; **Romanom** = *Romanorum* (Introd. 35), etc. But in 2 and 5 we have the city name in the nominative, and in 10 in the ablative ('from Beneventum').— Whether in **Coza, Cozano,** we have really the obsolete letter *z*, as most think, or merely a peculiar form of *s* (Mommsen, *Münzwesen*, p. 315), is uncertain.— What **Prboum,** etc., in 8 and 10 means, is not clear. It is usually taken as *probum*, 'sterling,' referring to the coin, but Mommsen disapproves this, not without reason.— In 12, 14, 16 we have the obsolete gentiles *Aesernius, Tianus, Aquinus* instead of the usual *Aeserninus, Teanensis, Aquinas*.— **Volcanom** in 13 is accusative

Inscriptions on Cups, Mirrors, and the like.

19. Aecetiai pocolom.
20. Belolai pocolom.
21. Coerae pocolo^{m}.
22. Keri pocolom.
23. Lavernai pocolom.
24. Saeturni pocolom.
25. Salutes pocolom.
26. Volcani pocolom.
27. Aisclapi pococolom.
28. C. Ovio^{s} Ouf(entina) fecit.

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singular: cp. n. 42, and note. — In 17 and 18 (coins of Luceria) we have the names of the *duomviri* who superintended the coining, in the nominative singular (Introd. 17). They are to be read *Lucios Pullios Luci filios, Gaios Modios Gnaivi filios; Servios Postumios, Poplios* (*i.e.*, Publius) *Babbios.* For *Gnaivi* = *Gnaei*, cp. n. 74 *b*.

19–45 = CI. 43–52, 54, 56–60, with additions from Eph. Epigr. 5–24, and Philologus, 37, p. 175. The vessels and works of art are mostly of Etruscan origin, and date somewhere from 350–200 B.C. The Latin language was rapidly spreading in Etruria. The *pocola* were sacred temple utensils; each bears the name of the god to which it belonged. — **19. Aecetia** is as it were **Aequitia* (= Aequitas), formed like *iustitia, duritia*, etc.: *c* is for *qu*, and *e* is the *o* of stem *aequo-* not yet sunk quite into *i*. Whether in a genitive like this we are to read *-āī* (Introd. 27), or contracted *ai* (= *ae*), cannot be told. — **20. Belola**: probably dialectic for *Bellōna:* the cup is ornamented with a head having snake-hair. — **21.** A goddess **Coera** (= Cūra?) is not elsewhere known. — **22. Kerus** means 'creator' (root as in *cre-are*), and in the Salian Hymns (n. 157) Janus was called '*duonus cerus*,' but it is by no means certain that Janus is meant here. — **23. Laverna** (root as in *lu*-crum, *ἀπο-λαύ-ειν*) was a goddess who is said to have enjoyed the special veneration of thieves. — **24. Saeturnus** is an old form of *Sāturnus*, but the *ae* (or *aĕ?*) is hard to explain. The root is certainly *sa-*, 'sow.' Saturn was god of agriculture. — **25. Salutes**: see Introd. 37. — **27. Aisclapius** = 'Ασκλᾱπιός, without the help-vowel used in the ordinary form *Aesculapius*. The diphthong in this name receives its elucidation from the dialectic Greek form Αἰσχλαπίῳ on a bronze statuette (Ann. dell' inst. arch. 1834, p. 223). **pococolom** is of course only a blunder. — **28.** On a bronze bust of Medusa. **Ouf***entina*, sc. *tribu*. See Introd. 10. The designation of a man's tribe is added in the ablative. The tribe *Ufentina* was formed 436/318.

29. C. Pomponi Quir(ina) opos.

30. L. Canoleios L. f. fecit Calenos.

31. Retus Gabinio^{s} C. s. Calebus fecit.

32. C. Gabinio^{s} T. n. Caleno^{s}.

33. Eco C. Antonios.

34. Dindia Macolnia fileai dedit.
Novios Plautios med Romai fecid.

35. *C*astor. Pater Poumilionom.

36. Iovos. Apolo. Menerva. Diana. Iuno. Mercuris. Leiber. Victoria. Mars. Fortuna.

— **29.** On bronze image of Jupiter. The tribe *Quirina* was added 513/241. **opos**: see Introd. 12. — **30.** On a patella found at Tarquinii. A similar one found at Caere has an almost identical inscription. — **31.** One of three similar inscriptions on patellae. **Retus**, i.e., *Rhetus*. **C. s.** is probably *Gai servos*, i.e., *Gai libertus*. The slave Rhetus assumed at manumission his master's (C. Gabinius) gentilician name. **Calebus** for *Calibus* by what is probably a mere irregularity of spelling: cp. n. 75 *b*.; 104, l. 39. — **32. T. n.** = *Titi nepos*. — **33. Eco**: read *ego*; Introd. 25. Supply *feci*. This inscription is on the cover of a well. — **34.** Inscription of the famous *Cista Ficoroniana*, found at Praeneste, with admirable engraved designs. **Dindia** — elsewhere a *nomen gentilicium* — seems here a feminine praenomen. **Macolnia** = *Magulnia*. Probably the *c* is meant as *g*, and we should pronounce *Magolnia*: Introd. 25. **fileai** and **fecid** are mere inaccuracies. Novios must be thought of as a freedman of the Plautian gens. **med** is accusative: Introd. 44. **Romai**: locative.

The following, from mirrors and cistae, are designations attached to the figures of the drawings. They are meant to be Latin, but some are tinged with foreign — doubtless Etruscan — peculiarities. Indeed I have omitted four of these, as quite too un-Latin; but I cite from them a few forms which are instructive as showing how Greek names were Italicized in early times: *Aciles* (Achilleus), *Casentera* (Casandra), *Crisida* (Chryseïs), *Teses* (Theseus), *Ateleta* (Atalanta), *Felena* (Helena: probably *Velena*, Fελένα, *F* being used as in Etruscan), *Acmemeno* (Agamemnon), *Lavis* (Laïs). An Amazon is marked *Oinumama*, i. e. *unimamma*, 'one-breasted.' — **35. Poumilionom** = *pūmilionum*. — **36. Iovos** is a strange nominative. **Menerva** is the regular old Latin form: root as in *men-s*. CI. 1457.

37. Castor. Amucos. Polouces.

38. Telis. Aiax. Alcumena.

39. Taseos. Luqorcos. Pilonicos, Tasei filios.

40. Marsuas. Painiscos. Vibis Pilipus cailavit.

41. Iuno. Iovei. Hercele.

42. Venos. Diovem. Prosepnais.

43. Cupido. Venos. Vitoria. Rit.

44. Mirqurios. Alixentrom.

45. Oinomavos. Ario. Melerpanta.

1462. **Mercuris**: Introd. 32. — **37. Amucos** = *Amȳcus* (king in Bithynia). **Polouces** = *Pollūces* (Plaut.) from Πολυδεύκης: *ou* represents *ευ*. Later shortened to *Pollux*. — **38. Telis** is *Thetis*. **Alcumena** = Ἀλκμήνη, with a help-vowel, as always in Plautus. — **39. Luqorcos** = the Doric Λυκῶργος: *c* is of course to be read *g*. **Pilonicos** = Φιλόνεικος. — **40. Painiscos** = Παᾱνίσκος, diminutive of Πάν. The diphthong is singular: but cp. n. 27. **Vibis** = *Vibios;* Introd. 32. Philippus is a freedman of the Vibian gens. Note nom. in *-us*. — **41. Iovei,** dative, is on a representation of an altar; so is a dedication, 'to Jove.' **Hercele**(s) is, however, nominative. — **42.** We have here three cases: nominative, accusative, and genitive. The accusative in works of art is to be explained (according to Mommsen) by understanding *vides*. Cp. n. 13 and 44. The genitive supposes *imago* or some such word: it is common on Grecian vases. **Diovem**: see on n. 73. **Prosepnais**: Introd. 29. There is a dispute regarding this form of genitive, some (Ritschl, Bücheler) maintaining that it is a real ancient form (*-ā-is* = Sanskr. *-ā-jās*) which afterwards survived in the provincial *-aes* (see n. 145), others (Mommsen, Corssen) regarding all these as spurious grecizing genitives, in imitation of those in *-ης*. I incline to the former view. *Prosepna* without an *r* approaches Περσεφόνη very closely, and lends much color to the opinion that the name *Proserpina* is borrowed from the Greek. — **43. Vitoria** is probably *Victoria*. **Rit**(us), a figure personifying the marriage-rite. So Mommsen. — **44. Mirqurios** = *Mercurius*. **Alixentrom** = *Alexandrum*. — **45. Oinomavos** = Οἰνόμαϝος. **Ario** = Ἀρείων, a divine horse (Il. ψ 346). **Melerpanta** is *Bellerophontes*.

Pisaurian Dedications.

46. Apolenei.

47. Cesula Atilia donu^{m} dat Diane.

48. Feronia Sta. Tetio^{s} dede^{t}.

49. Iunone Re(ginae) matrona Pisaurese^{s} dono^{m} dedrot.

50. Matre Matuta dono^{m} dedro matrona.
M'. Curia, Pola Livia deda.

51. Fide. 52. Iuno Loucina. 53. Iunone.

54. Lebro. 55. Dei(va) Marica. 56. Salute.

57. Deiv(es) Novesede^{s} . . . T. Popaio^{s} Pop(li) f.

46–57. CI. 167 fig. At Pisaurum in Umbria, in a sacred grove. Date about 500/254–552/202 (Mommsen). Their language is provincial, and shows noteworthy phonetic corruptions. There is no final *s*, and most of the diphthongs are destroyed. — **47. Cesula** = *Caesulla*, **Diane** = *Dianae*: the diphthong *ae* has passed into *ē*. — **48. Feronia** is dative, with the final *ae* clipped. Cp. n. 50, 55. For **dede^{t}** see Introd. 18 and 57 (2). The donor's name is Statius Tettius. Feronia was a goddess of spring and flowers. — **49. Iunone**, dative. The full ending *ei*, preserved in *Apolenei* (46), is replaced by *ē* here and in *Matrē*, *Iunonē*, *Salutē* (50, 53, 56): see Introd. 9. **matrona** is nom. plur. for *matronai*: the diphthong clipped as in the dative. **dedrot** = *ded(e)ro(n)t*. In n. 50 we have the same form without the *t*. — **50. Matrē Matuta**, dative; **matrona**, nom. plur. Mater Matuta was an Italic dawn-goddess, who presided over childbirth. **M'** = *Mania*, **Pōla** = *Paulla*. Both are feminine praenomina. In early times women had praenomina as well as men. In old sepulchral inscriptions of Praeneste (CI. 74 fig.) we have *Gaia*, *Lucia*, *Maria*, and others. Cp. also n. 34 and 47. **deda** is thought to be for **dedant*, a perfect 3d plur. of a primitive formation not elsewhere found; *de-da-nt* like (*σ*)*é-στα-ντι*, ἔστασι. This is not certain. — **51. Fide**, dative. — **52.** Probably for *Iuno(nē) Loucina(i)*, dative. *Iuno Lūcīna* was goddess of childbirth. — **54. Lebro** = *Leibero*; Introd. 9. In CI. 183 (provincial) we have *vēcos* for *veicos*, *vīcus*. *Liber* was an Italic vintage-god, afterwards identified with Dionysos. — **55.** Datives. **Marica**: probably identical with *Fauna* and *Bona Dea*. See Hor. Od. iii. 17, 7. — **57.** On the *divi Novensides*, see on n. 159. The case seems here dat. plur., *-ēs* for *-eis*. **Popaio^{s}** = *Poppaeus*.

Several Smaller Inscriptions,

Presumably older than the second Punic war.

58. Appios consol.

59. P. Corn*elios* L. f. coso*l* proba*vit.* Mar*te* s*acrom.*

60. Atilies Saranes C. M. f.

61. C. Placentios Her. f. Marte sacrom.

62. C. Placentius Her. f. Marte donu^{m} dede^{t}.

63. M. Fourio^{s} C. f. tribunos militare de praidad Maurte dedet.

64. M. Fourio^{s} C. f. tribunos *milita*re de praidad Fortune dedet.

65. Apolon*ei* . . Metilio^{s} . . . magistere . . . coraveron*t.* C. Anicio^{s}, L. S . . *probaveront.*

66. L. Terentio^{s} L. f., C. Aprufenio^{s} C. f., L. Turpilio^{s} C. f., M. Albani(os) L. f., T. Munatio^{s} T. f. quaistores aire moltaticod dederont.

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58. CI. 40. A fragment. Perhaps the earliest instance of a doubled consonant. There were four Appii Claudii consuls in the 5th century a.u.c. Mommsen calls attention to the omission of *Claudius*, peculiar to this name. *Appius* itself is treated like a gentile: hence *Via Appia*, not *Via Claudia.*

59. CI. 41. Rome. **cosol**: Introd. 20. **Martē**, dative: compare 61, 62. — 60. CI. 42. The ending **-ēs** in nom. pl. 2d decl.; Introd. 34. **C. M. f.**: read *Gai et Marci filiēs.* "Praenominibus omissis significantur quicumque descendunt a C. et M. Atiliis Sarranis" (Mommsen). The sons of two brothers had dedicated something. — 61, 62. CI. 62. Tibur. **Her.** = *Heri. Herius* is an old praenomen. **dede^{t}** as n. 48.

63, 64. CI. 63, 64. Tusculum, where there are several tomb-inscriptions of the Furii, all with the spelling *Four-*. — **militare** for *militaris*: *s* disappeared, and final short *i* passed into the duller vowel *ĕ*, as in the neuter *mare*, etc. — **praidad**: Introd. 30. — **Maurtē** = *Martī. Maurs* from older *Mavors.* — **Fortunē**, with *ē* for *ae*, provincial: cp. 47.

65. CI. 73; Praeneste. **Apolōnei**, with long *ō* as in Greek (Ἀπόλλωνι), again n. 72. This became first *ĕ* (n. 46, 68) and then *ĭ*, *Apollĭni.* — **magisterē** (*-ēs*?) nom. plur. Stem *magistero-*; cp. *magisteratus*, n. 80. — **cōraveront** for *coir-* (= *cūr-*); an unusual corruption.

66. CI. 181; Firmum in Picenum. — **quaistores**: the local officers, of

67. Q. Ravelio[s] . . f., P. Cominio[s] P. f., L. Malio[s] C. f., quaistores senatu[m] d consuluere. Iei censuere aut sacrom aut poublicom ese *locom* . . .

68. M. Mindios L. fi., P. Condetios Va. fi., aidiles vicesma[m] parti[m] Apolenes dederi.

69. . . . misio Mar*ti* M. Terebonio[s] C. l. donum dat libens meritod.

70. . . . *h*omo fameliai donom l*ubens dat.*

71. Pl. Specios Menervai donom port*avit.*

72. C. Hinoleio[s] C. l. Apolone dono[m] ded*et.*

73. Iunone Loucinai Diovis castud facitud.

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course: so also in the next. — **aire**: in a fragment of a similar inscription (CI. 61) we have *airid*. Introd. 38. — **moltaticod**: Introd. 33 and 12. *Aes multaticum* is money derived from fines.

67. CI. 185; Venusia. Decree of the (local) senate about a piece of ground. Along with this goes a fragment of a similar decree, from which *locom* is here supplied. — **Malio[s]**, i.e., *Mallius, Manlius*. — **senatu** seems to be accusative, but what the following **d** means (there is a space between) no one knows. — **consuluere**: we might expect *consoluere* (cp. n. 82, l. 1), and in the fragment just mentioned we have *consoltu*. — **poublicom**: the older form is *pōplicus;* thence *pūblicus*, this being the earliest instance. This *ou* must be merely a sign for *ū:* it can hardly be a genuine diphthong. Introd. 10, note. *Sacer* and *publicus* are both opposed to *privatus*.

68. CI. 187. **Va**(*lesi*): from this praenomen (*Valesus*) comes the gentile *Valerius*. **parti[m]**: this older accusative was afterwards fixed as an adverb. **Apolenes**, genitive: 'properly belonging to Apollo.' Compare the *pars Herculanea*, note on n. 99. **dederi**: irregularity for **dedere**. Observe the gradual crumbling away, as it were, of this perfect 3d pl., *dederont* (*dederunt*), *ded*(*e*)*rot, ded*(*e*)*ro, dedere, dederi*. — 69. CI. 190. **-misio**: part of some unknown surname of Mars. **C. l.** = *Gai libertus*. **libens meritod**: a frequent dedicatory formula; 'gives freely in return for benefits received.' — 70. CI. 166. ***h*omo** (so Mommsen) here = *servos* or *libertus*. If this is right, the names preceded; '*Eros Marci homo*' or something similar. The freed slave left a gift for the household. The inscription is on a vase. In **fameliai** we have a transitional form between *familia* and the original form **famol-ia* (from *famŏlus*).

71. CI. 191. **Pl**(*autus*) as praenomen. **Menervai**: see on 36. **port***avit* ('brought') for *dedit* is singular, but seems certain. — 72. PLM.

Epitaphs of the Scipios.

74. (*a*.) *L. Cornelio*[s] Cn. f. Scipio.

(*b*.) Cornéliús Lucíus Scípió Barbátus
Gnaivód patré prognátus, fórtis vír sapiénsque,
quoiús formá virtútei párisumá fúit,
consól censór aidílis queí fuít apúd vos,
Taurásiá[m] Cisaúna[m] Sámnió cépit,
subigít omné[m] Loucánam ópsidésque abdoúcit.

Suppl. iii. p. 1; Cales. **Apolone**: cp. n. 65. — **73.** PLM. Suppl. ii. p. 12. The meaning is uncertain. **castud facitud** seems best taken, with Ritschl, as ablative absolute, *facitud* being perhaps dialectic for *factod*. *Castus* is a season of fasting. **Diovis** is the older form of *Iovis*: see n. 42 and 96: *Diove* also occurs in a fragment, CI. 188. Compare Ζείς, for * Διείς. It does not appear whether *Diovis* belongs with the following or preceding words. **Iunone Loucinai** is, of course, dative.

74. CI. 29, 30. This and the following epitaphs were found in the family tomb of the Scipios, near the Appian Way, outside the ancient Porta Capena, where excavations were made in the 17th and 18th centuries. They are preserved in the Vatican Museum. — Inscription *a* is *painted* only, on the upper margin of a sarcophagus; *b* is cut on the side of the same. The latter is in its forms (nom. in *-us*) less archaic than the former, or even than the next epitaph — that of the son. Hence it is all but certain that only the painted inscription dates from the time of the burial, and that the other was cut a good many years (at least 50) later. The subject of the epitaph, the great-grandfather of Scipio Africanus the elder, was consul 456/298, and censor 464/290. The campaign mentioned took place during his consulship, in the third Samnite war.

For the Saturnian metre of this and the three following epitaphs, see Introd. 65 flg. — **Lucius**: the praenomen is put after the nomen, for metrical convenience. *Lūcius* apparently, with long *i*; so also in the next epitaph. This would seem to have been the earlier pronunciation. Observe that we do not have * *Loucius*, though we might expect it, as the root is the same as in *Loucina*, *Loucetius* (namely, *luc-*, 'shine'), and the Oscan has *Luvkis*. — **Gnaivod** = *Gnaeo*. The name *Gnaivos* — later *Gnaeus* — is the same as (*g*)*naevos*, 'mole,' 'birth-mark': from it comes *Naevius*. — **patrē**: with long *ē*; Introd. 38. — **formā**: long *ā* in the nominative; Introd. 26. So also **parisumā** = *parissima*. The above scansion of this line seems to me the only right one: *părĭssŭmă* has the *i* short, not because

75. (*a*.) L. Cornelio[s] L. f. Scipio, aidiles cosol cesor.

(*b*.) Honc oino[m] ploirumé cosentiónt R*ománe*
duonóro[m] óptumó[m] fuíse viró[m] *viróro*[m],
Lucíom Scipióne[m]. Filiós Barbáti,
consól censór aidílis híc fuét a*púd vos;*
hec cépit Córsicá[m] Alériá[m]que úrbe[m],
dedét Tempéstátebús aíde[m] méreto*d vótam.*

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one *s* is written, for that is merely graphical, but by the now well-known Plautinian usage which allows a long syllable to be used as short in certain positions; namely, (1) when it follows a short ictus-syllable (⏑ – = ⏑ ⏑), and (2) when it stands between a preceding short syllable and a following ictus (⏑ – ⏑ = ⏑ ⏑ ⏑). It is true that an interior syllable of a word is seldom affected in this way, but cp. *sīmīllŭmaé*, Asin. 241; *dĕdissĕ*, Pseud. 990. — **fūit** (v. 3) with long *ū;* not infrequent in old Latin (Plautus, Ennius). — **censōr**: the original quantity, as in *censōris*. — **fuĭt** (v. 4): see Introd. 57 (2). — **Taurasia** and **Cisauna** are towns in Samnium; the former referred to by Livy, xl. 38, the latter quite unknown. **Samnio** Ritschl takes as accusative, but Mommsen as ablative, saying, not without force, that it is strange to mention two unimportant places and then say that he took the whole country. As ablative it would mean *ex Samnio* partitively, rather than *in Samnio;* but we miss the final *d* (cp. *Gnaivod*). — **subigīt**: Introd. 56. Yet we might read *subĭgit*. — **Loucanam** (sc. *terram*) for *Lucaniam*. — **opsides**: *ob* appears as *op* regularly in early Latin in composition before a surd consonant. Not assimilation: *op* is the older form; Oscan *op*, Umbrian *up*, Greek ἐπί. — **abdoucit**: Introd. 10, note. Observe the change of tense: *cepit, subigit, abdoucit*.

75. CI. 31, 32. Inscription *a* is painted, *b* is cut. One slab is missing, so some of the verses are incomplete: the supplements are Ritschl's (except that of v. 1). This Scipio, son of the preceding, was consul 495/259 and fought in the first Punic war, and was censor 496/258. — **aidiles**: a nominative like *nubēs, volpēs, canēs* (Plaut.): these were more numerous in early times. But see the usual form below in *b*, v. 4. — **cōsol, cēsor**: Introd. 20. So **cōsentiont** below. — **Honc oino[m] ploirume** = *hunc ūnum plūrimi*. Introd. 48 and 8. The *ē* in *ploirumē* is for *ei*, Introd. 9. — **duonoro[m]**: *duonus* and *duellum* are the older forms of *bonus, bellum*. On the form of these first two verses see Introd. 67. — **Lucĭom** as in n. 74. — **hīc**, but in the next verse **hēc**: both stand for *heic;* Introd. 9 and 48. — **fuét** like *dedet*, etc.; Introd. 57 (2). — **cepit Corsica[m]**: during his consulship. Aleria being the principal town of Corsica, its capture deserves separate

76. Quei ápice^{m} insígne^{m} Diáli*s* *flá*minís gesístei,
mors pérfec*ít* tua ut éssent ómniá brévia,
honós famá virtúsque glória átque ingénium:
quibús sei in lónga licu*i*sét tibe útier víta,
facilé facteís superáses glóriám maiórum.
Quaré lubéns te in grémiu^{m}, Scípió, récip*ít*
terrá, Publí, prognátum Públió, Cornéli.

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mention. I think this verse complete on the stone. The only trouble is with the scanning *Alĕriā* ('Αλερία, Ptolemy). But can Ptolemy's spelling be final proof of the pronunciation at Rome of a foreign name more than three centuries earlier? Moreover even the short *ĕ* might perhaps be defended here: see on v. 4 of the next epitaph. The hiatus *-que urb-* is quite admissible in this kind of poetry: see v. 2, *duonórom ópt-*. Ritschl added *pugnandod*, scanning the verse without any dividing caesura. — **dedet Temp.**: for the tetrapodic half-verse see Introd. 68. — **-ebus** for *-ibus* is only an irregularity. This temple of the *Tempestates* (weather divinities) stood near the Porta Capena: it was vowed at a time when the fleet was near being shipwrecked: Ovid, Fast. vi. 193. — **merĕto***d*: older for *merito* (Introd. 12), not infrequent.

76. CI. 33. Probably the son of Scipio Africanus major, and the adoptive father of Africanus minor. His infirm health is mentioned by Cicero, Cat. maj. xi., and elsewhere. Mommsen puts his life about 550/204–590/164. Evidences of a later date, as compared with the two foregoing epitaphs, are: *essent* with doubled *s*, ablative without *d* (*longa*, *vita*, *Publio*), *ūtier* not *oitier*. — **apice^{m}**: the *flamen Dialis*, chief priest of Jupiter, wore an *apex* or wooden spike on his cap. — **insignĕ^{m}**: the omitted *m* does not count in scanning: this is unusual. — **omniā**: Introd. 36. — **brĕvĭa**: the penultimate long syllable of the Saturnian series is particularly often resolved: so *ingĕnĭum*, *grĕmĭum*, *rĕcĭpit* below. — **famā**, nominative. Introd. 26: so again **terrā** below. — **quibus**, etc. This verse, as usually scanned, lacks the caesura between the series. I suspect, however, that the true division is: *quibŭs sei in longā licuīset tĭbe útier vita*. It seems namely from several instances as if an *accented short* syllable might stand instead of a long one as thesis (ictus-syllable) at the head of the second member. Cp. n. 98, v. 3, 158, 209, 214. If this be so, it is a survival of the older Italic accent-versification: Introd. 69. — **sei**: the diphthong justified: Oscan *svai*, Greek (σϝ)ει. — **tibē** for *tibei*: Introd. 9, note 2. — **utier**: Introd. 64. For the scansion *ūtĭĕr vi-* see note on *parisuma*, n. 74, v. 3, and compare *pătĕr vénit*, Terence Phorm. 601. — **facilē**, not *faciled*: see on *facilumed*, n. 82, l. 27. — **facteis**: Introd. 9, note 2. — **Scipio**, **Publi**, **Corneli** are vocatives,

77. L. Cornelius Cn. f. Cn. n. Scipio.

Magnám sapiéntiám multásque vírtútes
aetáte quóm párva pósidét hoc sáxsum :
quoieí vitá defécit nón honós honóremᵐ.
Is híc sitús quei núnquam víctus ést virtútei.
Annós gnatús vigínti ís *loc*eís *man*dátus :
ne quaíratís honóremᵐ queí minus sít mand*átus*.

78. L. Corneli(us) L. f. P. *n.* Scipio, quaist(or), trib(unus) mil(itaris), annos gnatus XXXIII mortuos. Pater regem Antiocoᵐ subegit.

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but **prognatum** looks back to *te*. Altogether they represent the full name of the deceased, *P. Cornelius P. f. Scipio*.

77. CI. 34. An unknown Scipio. Judging by *annos* (double *n*), *sit* (not *siet*) and the lack of ablative *-d*, it cannot be very old; and probably is not far from the age of n. 76. — **Cn. n.** = *Gnaei nepos*. — **quom** is the preposition *cum*. The form occurs repeatedly in inscriptions; for instance in a fragment, CI. 532; and *oina quom* = *ūnā cum* in the Lex agraria, CI. 200, l. 21. — **posidēt**: Introd. 53. — **saxsum**: Introd. 24. — **quoiei**: Introd. 51: again in Lex repet., CI. 198, and Lex agrar., CI. 200. The pronoun refers to the person implied in the preceding lines. — **vitā**: again *ā* in nominative. — **honos honorem**: there is a play on the different meanings of *honos*; 'in whose case life, not *repute*, fell short of *preferment*'; that is, he did not live long enough to hold any office. — **hīc** might have been *heic* (i.e., **ho-i-c(e)*, locative from stem *ho-*). — **virtutei** is ablative, for *virtutī*: the *ei* is the spurious diphthong: Introd. 9, Note 2. Stems in *-tūt-* were originally *i*-stems. — **loceis**: Mommsen's conjecture; 'resting-place,' 'tomb.' Ritschl conjectured *Diteist*, i.e., *Ditei est*, but this does not accord so well with the indications of the stone. Other suggestions have been made. — **ne quairatis**, etc.: 'ask not what office he held, since none was intrusted to him.' *quairatīs* seems to be the scanning intended, but in spite of this indication (which is quite isolated) it is extremely doubtful whether the personal ending *-tis* was ever really long. — **mĭnŭs sít**: Introd. 17, note.

78. CI. 35. Nephew of Africanus major: quaestor 587/167, mentioned by Livy, xlv. 44. — **Pater**: Scipio Asiaticus, or *Asiagenus*, defeated Antiochus 564/190. — **Antiocom**: Introd. 15. — The date of this inscription cannot be far from 594/160.

79. Cn. Cornelius Cn. f. Scipio Hispanus, pr(aetor), aid(ilis) cur(ulis), q(uaestor), tr(ibunus) mil(itaris) II, Xvir sl(itibus) iudik(andis), Xvir sacr(is) fac(iundis).

Virtutes generis mieis moribus accumulavi,
progeniem genui, facta patris petiei:
maiorum optenui laudem ut sibei me esse creatum
laetentur: stirpem nobilitavit honor.

Law of Luceria about a Sacred Grove.

80. In hoce loucarid stircus ne *qui*s fundatid, neve cadaver proiecitad, neve parentatid. Sei quis arvorsu^{m} hac faxit, *in* ium quis volet pro ioudicatod n(umum) I manum iniect*io* estod. Seive mag*i*steratus volet moltare, *li*cetod.

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79. CI. 38. Son of the first Scipio Hispallus, or *Hispanus* as it is here called, who was first cousin to Africanus major. His praetorship was in 615/139. — **II**: probably *iterum*, 'twice.' — **Xvir**, etc.: the *decemviri stlitibus iudicandis*, called earlier *iudices decemviri*, were magistrates whose exact functions are little understood, but they had to act as judges in certain cases. *Slis* and *stlis* are older forms of *lis*. The *decemviri* (later *quindecimviri*) *sacris faciundis* had the care of the Sibylline books. — The verses are elegiac. — **mieis** (pronounced here *mjeis*) = *meīs*: the *e* of *me*- sinks to *i* before *e*, to avoid the succession *e-e*. So *iei*, *ieis* (but *eī*, *eīs*). The vocative *mī* is contracted from **mie*. These dissimilations show that *ei* was not yet pronounced as *ī*, at least in this situation. — **progeniem genui**: the stone has *progenie mi genui*, but I think, with Ritschl, that the *i* is simply "alicui casui vel errori tribuenda." — **petiei**, 'have striven to equal,' 'emulated.' On the spelling, Introd. 57. — **optenui**: see on *opsides*, n. 74, v. 6. — **sibei** must be scanned *sibī*. It is merely the retention of the former spelling after the later pronunciation had set in. Cp. *tibei*, n. 99, v. 1. — **honor**: but *honos* in n. 76 and 77. The meaning is: 'the offices I held increased the family renown.'

80. Eph. Epigr. 2, 198. Found at Luceria in Apulia. The Latin is provincial. — **hoce**: see on *haice*, n. 82, l. 22. — **loucarid**: ablative of *lūcar*, which has here the meaning of *lūcus*. — **stircus** = *stercus*. — **fundatid** is for *fundato*(*d*) (Introd. 62), imperative of *fundāre*, which is oddly enough used in the sense of *fundĕre*. The imperative ending *-tōd* appears in this

Decree of L. Aemilius Paullus.

81. L. Aimilius L. f. inpeirator decreivit utei quei Hastensium servei in turri Lascutana habitarent leiberei essent. Agrum oppidumqu(e) quod ea tempestate posedisent item possidere habereque iousit, dum poplus senatusque Romanus vellet. Act(um) in castreis a. d. XII k(al). Febr.

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inscription in three forms, (1) *-tōd* in *estōd*, *licētōd*, (2) *-tād* in *proiecitād*, (3) *-tīd* in *fundātīd*, *parentātīd*, i.e., apparently in the first conjugation. The last two forms are otherwise unheard of. — **proiecitad** = *provicito*. The compounds of *iacio* had in old Latin sometimes *-iecio*, in place of the classical *-icio*. So *conieciant*, CI. 198, l. 50 (Lex repet.). — **parentatid** = *parentato*. *Parentatio* would defile the grove, because it had to do with the dead. — **arvorsum** = *advorsum*. — **hac**: perhaps neut. plur.: see on *post hac*, n. 82, l. 13. Or possibly ablative sing. feminine: see on *arvorsum ead*, n. 82, l. 25. — **faxit**: Introd. 59. — **ium** = *eum*. — **quis** = *quisquis*, an ancient use. Cp. n. 175 and 208. The antecedent *ei* is understood. 'Let any one who chooses lay hands on him, as for a judgment rendered of . . . sesterces.' — **manum iniectio**: the right of seizing the person to compel payment of money due: cp. n. 179. For *manum* (contracted from *manuom*, gen. plur.) cp. *passum*, Plaut. Men. 178. — **pro ioudicatod**: i.e., as if a claim had been adjudged by a magistrate. — **numum I**: Mommsen conjectures *L*, i.e., '*sestertium quinquaginta milia*'; Bruns *CIL*, '*sestertium mille*.' — **magisteratus**: cp. n. 65. More original form, with comparative suffix *-ter-*. — **moltare** = *multare*: cp. n. 66.

81. CI. 5041. Hasta (elsewhere Asta), near Gades, in Spain: bronze plate, found 1867. The maker of the decree is the famous Aemilius Paullus, afterwards Macedonicus; the date 565/189. Note the doubled consonants and ablatives without *d*. — **inpeirator** is simply a blunder, as *ei* has no business to stand for a short *e*; **decreivit** is less strange: Introd. 9, note 1, end. There was a late Latin form *decrīvit*. — **utei**: Introd. 9, note 2. — **servei**: the *turris Lascutana* is a *castellum*, or outlying dependent community, composed of slaves of the Hastenses. They had probably done the Roman general some service against their masters. — **leiberei**: the oldest form had *oi* (*loebesum* = *līberum* in Festus); *leiber* is frequent. — **iousit** = *iussit*. The spelling with single *s* (even *iūsit*) is very persistent in this perfect. — **dum**: 'as long as.' — **poplus**: from this shorter form (also Plautinian) come *poplicus*, *Popli-cola*, *Poplius* (Publius). — Observe that in **poplus senatusque** the usual order of the words is reversed.

Senatus Consultum de Bacchanalibus.

82. *Q.* Marcius L. f., S. Postumius L. f. cos. senatum consoluerunt n(onis) Octob. apud aedem Duelonai. Sc(ribendo) arf(uerunt) M. Claudi(us) M. f., L. Valerius P. f., Q. Minuci(us) C. f.

De bacanalibus, quei foideratei esent, ita exdeicendum censuere.

'Neiquis eorum *b*acanal habuise velet: sei ques esent, quei sibei deicerent necesus ese bacanal habere, eeis utei ad

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82. CI. 196. S.C. de Bacchanalibus. Bronze plate, found 1640 at Tiriolo in Bruttii; now in Vienna. In 568/186 a secret orgiastic worship of Bacchus had established itself at Rome and spread to many parts of Italy. The excesses committed at these nocturnal assemblies were so frightful, and the secret organizations of the initiated became so powerful, that not only public morality but the very state itself seemed endangered. For particulars see Livy, xxxix. 8, flg. The senate passed a stringent decree for the suppression of these rites. This decree was communicated to the allied states of Italy, and the above inscription is a letter from the consuls, embodying the substance of it, sent into the '*ager Teuranus*' in Bruttii, and there cut, according to directions (line 26), on a '*tabola ahena*.' — This important and instructive monument is more archaic than the foregoing inscription (n. 81), which is three years earlier. In public documents old-fashioned forms would naturally be adhered to. There are no doubled consonants, and the ablative *d* appears everywhere: *ai* and *oi* are used throughout (except *aedem*, l. 1). But on the other hand we have *-us*, *-um*, not *-os*, *-om*.

Lines 1–4. **S.** = *Spurius;* **cos.** = *consules.* — **Duelonai** = *Bellonae:* see on *duonoro*, n. 75. — **sc**(*ribendo*) **arf**(*uerunt*): decrees of the senate were reduced to writing after, not before, they were passed; and a committee of senators remained after adjournment to see that they were correctly written down. These were said *scribendo adesse.* — **arfuerunt** = *adfuerunt:* the preposition has the same form as in *ar-biter*. Cp. *arvorsum*, *arfuise*, l. 24, 25. — **quei foideratei esent:** supply as antecedent *eis*. 'Regarding the Bacchanalia it was resolved to give the following directions to those who are in alliance with us.' — **exdeicendum** = *edicendum.* — **Neiquis:** the particle *nē* appears in early inscriptions in three forms, *nē*, *nei*, *nī* (the last retained in *nī-mirum*). — **habuise:** for the tense see Allen and Greenough's Grammar, 288 d, Remark; Gildersleeve's Grammar, 275, 2.

New Ed. 486 C.

pr(aetorem) urbanum Romam venirent, deque eeis rebus, ubei eorum ver*b*a audita esent, utei senatus noster decerneret, dum ne minus senatorbus C adesent *quom* ea res cosoleretur. Bacas vir nequis adiese velet ceivis Romanus neve nominus Latini neve socium quisquam, nisei pr(aetorem) urbanum adiesent, isque *d*e senatuos sententiad, dum ne minus senatoribus C adesent quom ea res cosoleretur, iousis*e*t. Ce*n*su*e*re.

Sacerdos nequis vir eset; magister neque vir neque mulier quisquam eset; neve pecuniam quisquam eorum comoine*m*

—**quēs**: nom. plur.; so **eeis**, just below. Introd. 47, 51. — **necesus** (not elsewhere found) is clearly used here as neuter, but seems to have been originally a nominative masculine, which having lost its other cases, was no longer felt as such: *necessum* (Plaut.) is the neuter to it.

Lines 5-9. senatorbus: only a blunder, as *senatoribus* stands l. 9 and 18. — **Bacas** = *Bacchas*. These rites belonged properly to women only: the admission of men to participation in them had been the chief source of lawlessness. Liv. xxxix. 13. — **adiese** = *adiisse*: and so **adiesent** = *adiissent*, just below, and **adieset**, l. 17. As to the nature of these forms, Corssen thinks them actual dissimilations to avoid the succession *i-i*. But those who think the pluperfect subjunctive and perfect infinitive compounded with *essem* and *esse* respectively (as the pluperfect indicative is with *eram*: see Allen and Greenough, 118, foot-note) will find in them rather the retention of an older sound: cp. Introd. 14. — **nominus**: Introd. 37. — **Latini** (cp. **urbani**, l. 21): the genitive singular has simple *-i*, whereas the nominative plural (**virei, oinuorsei**, l. 19, 20) has *-ei*. This is the usage of the older monuments: cp. n. 24, 26, 27, etc., and *Barbati*, n. 75. Not until later does *-ei* in genitive appear; see n. 99, l. 4. The *nomen Latinum* comprised at this time those cities of Latium which enjoyed a sort of half citizenship, and were so intermediate between *cives* and *socii*. — **socium**: gen. plur.: Introd. 35. — **senatuos**: Introd. 41. — **iousiset**: 'shall have given leave.' — **Censuere**: 'Carried.'

Lines 10-14. nequis vir: that is, women only can hold this priesthood. — **magister**: an officer (not a priest) to manage the temporal affairs of the organization. So **magistratum** below: 'no one shall appoint either man or woman to be master nor to act as master.' The guilds are to be entirely broken up: hence the prohibition to have *pecunia comoinis*. — **comoinem** = *communem*: Introd. 8. — **quiquam** = *quisquam*. — **post**

*h*abuise ve*l*et; neve magistratum neve pro magistratu*d* neque virum *neque mul*ierem quiquam fecise velet; neve post hac inter sed coniour*a*s*e* *neve* comvovise neve conspondise neve conpromesise velet, neve quisquam fidem inter sed dedise velet; sacra in *o*quoltod ne quisquam fecise velet; neve in poplicod neve in preivatod neve exstrad urbem sacra quisquam fecise velet, nisei pr(actorem) urbanum adieset, isque de senatuos sententiad, dum ne minus senatoribus C adesent quom ea res cosoleretur, iousis*e*t. Censuere.

Homines plous V oinuorsei virei atque mulieres sacra ne quisquam fecise velet, neve inter ibei virei pl*o*us duobus, mulieribus plous tribus ar*f*uise velent, nisei de pr(aetoris) urbani senatuosque sententiad, utei suprad scriptum est.'

Haice utei in coventionid exdeicatis ne minus trinum

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hac: usually written *posthāc*. As in *ante hāc*, *hāc* is probably the old neuter plural for *haec*. — **inter sed**: Introd. 44. — **comvovise**: *com-* before *v* is singular; but compare *comvalem*, n. 104, l. 8. — **conpromesise** = *compromisisse*. The oldest perfect of *mitto* seems to be *meissi* (*promeisserit*, CI. 205); so *ē* here is probably for *ei*.

Lines 15-19. oquoltod = *occulto*. — **poplicod** = *publico*. — **exstrad**: again l. 28; cp. **suprad**, l. 21, 24, 29. The adverbs *ext(e)rā*, *int(e)rā*, *sup(e)rā*, *inf(e)rā* are ablatives feminine. — **iousiset**: here and l. 9 the plate reads *iousisent*, — a blunder. — **Homines** is awkwardly put in a sort of apposition to *quisquam*: 'that no one in a company of more than five persons altogether, men and women,' etc. — **oinuorsei** = *universi*. To be divided *oinu-orsei* (for **oinu-vorsei*): the first part of the compound as in *oinu-mama* (see p. 17, near bottom), *acru-folius*. Omission of *v* as in *de-orsum* (**de-vorsum*), *sursu-orsum* (n. 104, l. 14). Others read this form *oinvorsei* in three syllables. Lucretius (iv. 262) has *unorsum*, contracted like *dorsum* for *deorsum*.

Lines 20-24. inter ibei (*interibi*): 'there,' 'in that company.' *i-bi*, locative of *i-s*, is joined with the preposition *inter*. So *in-ibi*, *post-ibi* (Plautus). — For **mulieribus** we should expect *mulieres*; but he says 'men not more than two, nor more than three women.' — **arfuise** = *adfuisse*. — **Haice**: fuller form for *haec*. The appended *-c* in *hī-c*, *hō-c*, *hun-c*, etc., often appears in its complete form *-ce*. The spellings *hicce*, *huncce*, etc., are barbarous. — **utei . . . exdeicatis**: subjunctive of command, usually

noundinum; senatuosque sententiam utei scientes esetis, eorum sententia ita fuit: sei ques esent, quei arvorsum ead fecisent, quam suprad scriptum est, eeis rem caputalem faciendam censuere; atque utei hoce in tabolam ahenam inceideretis, ita senatus aiquom censuit, uteique eam figier ioubeatis, ubei facilumed gnoscier potisit; atque utei ea bacanalia, sei qua sunt, exstrad quam sei quid ibei sacri est, ita utei suprad scriptum est, in diebus X, quibus vobeis tabelai datai erunt, faciatis utei dismota sient.

In agro Teurano.

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preceded by an imperative, *facite* or *videte*. Cp. Plaut. Capt. 111.—**in coventionid** = *in contione:* Introd. 38.—**ne minus trinum noundinum:** 'for not less than three market-days.' See lexicon, s.v. *nundinum*. *Noundinum* = **noven-di-num*, 'period of nine days.'—**scientes esetis** = *scirctis*. Such circumscriptions with the present participle are rare: Cic. Cat. maj. 8, *sit . . . agens aliquid*.—**quēs:** as l. 3.—**arvorsum ead . . quam:** 'contrary to the way in which,' 'contrary to what': *ead* seems to be the adverb *eā* (ablative feminine), joined to *arvorsum* in a way not otherwise known, and answered by *quam*, 'how.' It is omitted in Plaut. Trin. 175: *utrum indicare me ei thensaurum aequom fuit, advorsum quam eius opsecravisset pater?* Cp. also Plaut. Most. 4, 2, 66: *nihil . . . prae quam alios . . sumptus facit*, 'compared to the way in which.'

Lines 25-30. rem caputalem: 'a proceeding for a capital offense.' Capital punishment, with the Romans, signified either death or loss of civic rights (*capitis deminutio*).—**uteique . . ioubeatis** (*ioubere* = later *iŭbere*) seems to be a return to the direct command as l. 22.—**figier:** Introd. 64.—**ubei facilumed gnoscier potisit:** 'where it can be easiest read.' The adverbs in *-ē* were originally ablatives, and so have *-d* properly. With (*g*)*nosco* in the sense 'read,' compare *ἀναγιγνώσκω*. *Potisit* = *possit:* for *potis sit*.—**exstrad quam sei,** etc.: 'except in case there be concerned in the matter something sacred'; fuller expressed by Livy (xxxix. 18): "extra quam si qua ibi *vetusta ara* aut *signum* consecratum esset." The senate were anxious not to interfere with any established and legitimate worship.—**ita utei suprad,** etc., belongs with *dismota*.—**in diebus X quibus:** 'within ten days *after*—,' a regular expression: see Gildersleeve, § 400, Rem. 3, end, and cp. Ter. Andr. 104, *in diebus paucis quibus haec acta sunt*.—**dismota** = *dimota*.—**sient:** Introd. 60.—**In agro Teurano** was simply the direction to the letter-carrier. It is no part of the document, and lacks the ablative *-d*.

Smaller Inscriptions,

From the second Punic war to about the Gracchan period.

83. Hercolei sacrom. M. Minuci(us) C. f. dictator vovit.

84. M. Claudius M. f. consol Hinnad cepit.

85. Martei *M.* Claudius M. *f.* consol ded*it.*

86. Italicei L. Cornelium Sc*ipion*em honoris caussa.

87. M. Claudius M. f. Marcelus consol iterum.

88. *D*iovei Victore. T. *Aebuti*(us) M. f. IIIvir *resti*tuit.

89. Q. Pomponius Q. f., L. Tulius Ser. f. praitores aere Martio emeru.

90. Iunone Loucina Tuscolana sacra.

91. *Pu*le *Tusc*olana sacra.

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83. CI. 1503. On an altar in Rome: referred by Mommsen to the Minucius who fell at Cannae, although he was strictly not a dictator, but a *magister equitum* whose *imperium* was made equal to the dictator's; see Livy, xxii. 25. The date would accordingly be 537/217. On the side of the altar are the letters *L·I·XXVI*, the meaning of which is quite uncertain. — 84, 85. CI. 530, 531. Marcellus the conqueror of Syracuse dedicated spoils at Rome: the date about 543/211. **Hinnad**: 'from Hinna' = Henna or Enna, in Sicily. — 86. CI. 533. Halaesa in Sicily. Date *perhaps* 561/193, when L. Scipio, afterwards *Asiagenus*, was praetor in Sicily. The **Italicei** are Italic land-holders in Sicily. Supply *statuerunt*, 'set up a statue of.' — 87. CI. 539. Luna in Etruria. Date 599/155. The grandson of the famous Marcellus (n. 84). — 88. CI. 638. Rome. **Victore**: dative, Introd. 9. **Triumvir**: sc. *reficiendis aedibus;* such as were sometimes appointed (cp. Livy, xxv. 7) to superintend special repairs. — 89. CI. 1148. Cora. Not later than 600/154 (Mommsen). **Tulius** = *Tullius.* **praitores**: the local magistrates. **aes Martium** is money derived from the sale of booty: a share of booty from some campaign had fallen to the Corani as *socii.* **emeru** stands immediately for *emerut:* cp. *dedro, dedrot*, n. 49, 50; also note on n. 68. — 90, 91. CI. 1200, 1201. Capua. **Iunone Loucina Tuscolana** = *Iunoni Lucinae Tusculanae:* for the dative in *-a* see on n. 48. **Palē**: like

92. Vediovei patrei genteiles Iuliei.
Ved*iovei* I*ul*ei aara leege Albana dicata.

93. Mavortei.

94. Devas Corniscas sacrum.

95. Q. Minucius Q. f. Rufus leg(atus) Apolinei *P*utio merito.

96. Tampiai Diovei.

97. Maxuma Aimilia C. R. a(nnorum) LX*X*.

Iunonē, and *Victorē* (n. 88). *Pales* was a goddess of herdsmen. **sacra** in both inscriptions refers to the altar (*ara*) on which each stands. The Tusculan worship was transplanted to Capua by colonists. See on n. 107.

92. CI. 807. On different sides of an altar at Bovillae, near Alba, the cradle of the Julian gens, where the family rites were kept up even in imperial times.—**Vediovei**: *Vediovis* or *Veiovis* was an Italic divinity of some importance, represented as Apollo-like, with arrows in his hand; but not much is known about him.—**genteiles Iuliei**: i.e., members of the Julian gens. The spelling *genteiles* (cp. *aidilis*, n. 74, 75, etc.) proves that the inscription cannot be older than the time of the Gracchi: the *ei* is quite unjustified etymologically: see Introd. 9, note 2.—**aara, leege**: Introd. 22.—**leege Albana** = *more Albano*: 'according to Alban ritual.' The restoration **Iulei** is uncertain, but if right it is nominative plural (cp. n. 104, l. 23).

93. CI. 808. On an urn, in ancient letters. The form *Mavors* = *Mars* is well known.—**94.** CI. 814. The *corniscae divae*, 'crow-goddesses' attendant on Juno, had, we know, a sanctuary 'trans Tiberim,' and in that neighborhood this stone was found. **Devas Corniscas** must be dative plural, of a form otherwise unknown. It would seem to be a contraction directly from the original *-ā-is*. The *ē* in *dēvas* stands for *ei*, cp. n. 57: Introd. 9.—**95.** CI. 562. Delphi. Perhaps the same Q. Minucius who made the decision for the Genuates (n. 104) 637/117. **Putio** = *Pythio*.—**96.** CI. 1435. Found near Padua. Cp. n. 42 and 73. The givers are women of the *gens* Tampia.—**97.** CI. 1434. Found in Southern Tyrol. **C. R.** is explained *civis Romana*, but Mommsen conjectures *C. f.* = *Gai filia*. The following signs are also of doubtful meaning. **Maxuma** means, of course, the eldest daughter.

Dedicatory Inscriptions of Mummius.

98. L. Mummi(us) L. f. cos.

Duct(u) aúspicio ímperióque éius Acháia cápt(a),
Corínto déletó, Romám redieít triúmphans.
Ob hásce rés bene géstas quód in béllo vóverát,
hanc aédem ét signum Hérculis Victóris
ímperátor dédicát.

99. Sancte.

De decuma, Victor, tibei Lucius Mummius donum
moribus antiqueis pro*miserat* hoc dare sese:
visum animo suo perfecit, tua pace rogans te
cogendei dissolvendei tu ut †facilia faxseis.
Perficias decumam ut faciat verae rationis,
proque hoc atque alieis doneis des digna merenti.

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98. CI. 541. Rome. Mummius took Corinth 608/146, and triumphed the following year. The inscription is in rather rough Saturnians, with a tetrapodic series (v. 3), and a half-verse (also tetrapodic) standing alone at the end. **Corinto**; but **triumphans** with *ph*, one of the earliest instances of an aspirate in Latin. Observe that *Corinthus* is here made masculine (or perhaps *Corinthum*, neuter), feminine town-names in *-us* being as yet strange to the Romans. — With **redieit** compare *petiei*, n. 79: the succession *i-i* is thus avoided: *-ei* in the perfect after a consonant is less common, and is not found till later. — **quŏd** seems to stand as short thesis; see on n. 76, v. 4. But Ritschl supplies *quŏd is*, and it is barely possible that *is* has been broken off the edge (*quod* comes at the end of a line). — **aedem et**: for the hiatus see n. 75 (*b*), v. 2 and 5.

99. CI. 542. Reate: now lost, and the transcription faulty. A tithe (**decuma** = *decima*) of the booty is here dedicated to Hercules, according to a common custom. This was the *pars Herculanea* of spoils or any unusual gain. The verses are hexameters. — The vocatives **Sancte** and **Victor** address Hercules. — **tibei** must be read *tībī*: see on *sibei*, n. 79. Both in **Lucius** and **Mummius** the final *s* does not count in scanning. — **promiserat** is Mommsen's conjecture for *pro usura*, which leaves a hiatus, confuses the construction, and gives very little sense. — **visum,**

Milestone of Popilius.

100. *P. Popilius C. f. cos.*

Viam fecei ab Regio ad Capuam, et in ea via ponteis omneis miliarios tabelariosque poseivei. Hince sunt Nouceriam meilia ↊I, Capuam XXCIIII, Muranum ↊XXIIII, Cosentiam CXXIII, Valentiam C↊XXX, ad fretum ad statuam CCXXXI, Regium CCXXXVII. Suma af Capua Regium meilia CCCXXI. Et eidem praetor in Sicilia fugiteivos

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etc.: 'he has fulfilled the choice of his heart.' — **suo** and **tua** are monosyllables. — **cogendei**, etc. The general sense is: 'begging thee under favor to enable him fully to collect and fairly to divide the spoil,' so that the god may have his just due. **facilia** is explained as *facultatem*, but is certainly corrupt. In **cogendei** and **dissolvendei** we have the earliest instances of *-ei* in genitive singular: see on n. 82, l. 7, *Latini*. — A **decuma verae rationis** is a tithe fairly computed: *ratio* in its book-keeping sense.

100. CI. 551. Found at Forum Popili (modern *Polla*) in northern Lucania. The name of the magistrate at the beginning is lacking, but there is no doubt that it was as above. P. Popilius Laenas was consul 622/132. The road described, from Regium to Capua, was a continuation of the Via Appia, and may well have borne the name Via Popilia. The inscription contains several spurious *ei*'s; *fecei, poseivei, conquaesivei, redidei, ponteis omneis* (but *aedis* in last line), *meilia, fugiteivos*, probably *eidem* (= *īdem*). On the other hand the spelling *heic* is justified. — **Regio**: *Regium*, not *Rhegium*, is the genuine Latin form of this name. — **miliarios**, sc. *lapides;* elsewhere always *miliaria*, neuter. — **tabelarios**: what? Hardly letter-carriers, as usual. Perhaps *tabellarios lapides*, such for instance as the stone bearing this very inscription, which is certainly more than an ordinary milestone. — **poseivei** = *posīvī* (Plautus), later *posui*. *Pōno* (for *po-sīno*) is a compound of *sino* with the obsolete preposition *por-* (*pos-, po-*), and so *posīvi* is its regular perfect. — For the following towns see map. Nuceria and Capua are in one direction, Muranum and the rest in the other. To Capua the distance is 84 miles. — ↊: the older sign for 50; *L* is seldom found before Augustus's time. — **Cosentia** = *Consentia;* **Valentia** = *Vibo Valentia*, formerly *Hipponium;* **ad fretum ad statuam**; the place called *Columna Regina*, at the narrowest part of the strait, the usual place of crossing to Sicily. — **Suma** = *summa*, 'the whole distance.' — **af**: this old preposition, noticed by Cicero, Orat. xlvii., occurs about seven times in inscriptions, before *c, v, l, m, s*. Corssen thinks it an entirely distinct preposition from *ab*. — **praetor in Sicilia**: some years before. The outbreak of the servile

Italicorum conquaeisivei redideique, homines DCCCCXVII. Eidemque primus fecei ut de agro poplico aratoribus cederent paastores. Forum aedisque poplicas heic fecei.

Boundary-stones (*Termini*).

101. L. Caicilius Q. f. pro cos. terminos finisque ex senati consolto statui iusit inter Patavinos et Atestinos.

102. M. Folvius M. f. *Fl*ac(cus), C. Sempronius Ti. f. Grac(cus), C. Paperius C. f. Carb(o), III vire a. i. a.

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war in Sicily (620/134) was preceded by extensive brigandage on the part of half-fed slaves of large land-holders. This brigandage Popilius tried to repress. — **Italicorum**: see n. 86. — **de agro poplico**: the reference is to the enforcement of the agrarian law of the previous year (621/133), by compelling those who occupied too much public land for grazing purposes (**paastores**) to give up a part of it to tillers (**aratoribus**). — **forum**: here a mere place of business, constructed by the builder of the road for the aid of traffic, like the *forum Appi* on the Via Appia.

101. CI. 548, *b*. One of three similar stones found in the Euganean hills, near Padua. Perhaps the L. Caecilius Metellus who was consul 612/142 (Mommsen). — **senati**: this genitive occurs pretty frequently in inscriptions from this period on, and similar ones (*quaesti*, etc.) are freely used by Plautus, Ennius, and others. It probably arose merely from confusion with the *o*-stems. — **102.** CI. 554. Near Aeclanum in Samnium. Date 624/130. **Folvius** = *Fulvius*; **Paperius** = *Papirius*. This spelling again in Lex agraria, CI. 200. — **III vire a. i. a.** = *tres viri agris iudicandis adsignandis*, commissioners for executing the agrarian law: **virē** for *virei*, Introd. 9.

103. CI. 197. Fragment of a bronze plate, found at Bantia in Lucania. On one side is a part of a law in the Oscan language referring to local affairs of Bantia; on the other side the above portion of a law in Latin. What the relation of the latter to the Oscan law is, or whether it has any thing at all to do with it, cannot be with certainty made out. The part of the Latin law preserved is from near the end, and treats only of the so-called *sanctions*: what the purport of the law was we do not know. But as the magistrates mentioned are clearly the Roman magistrates, we have evidently a Roman, not a Bantine, document. Mommsen thinks the enactment to have been of the nature of a *foedus*, a law making or changing a treaty with Bantia. The only thing that can be made out concerning the body of the law is that it provided for the annual election of a *iudex* of some kind. The date is certainly between 621/133 and 636/118: see on l. 7. The beginning of each

Tabula Bantina.

103. . . . . . *n*eque prov*inciam* . . . . . .
in sena*tu seive* in poplico ioudicio ne sen*tentiam rogato*
tabellamve nei dato . . . . . *neive is testumoni*um
deicito, neive quis mag(istratus) testumonium poplice ei
de*ferri neive den*ontiari *sinito. Neive ioudicem eum neive ar-*
*bitrum neive recupe*ratorem dato. Neive is in poplico luuci

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line is gone, but the supplements are tolerably certain. — The tenor of the fragment is as follows: —

(1.) Lines 1–6: Civil and political disabilities to attach to curule magistrates as a penalty for violating the law.

(2.) Lines 7–13: Fines imposed on lesser magistrates and on senators for violations of the law.

(3.) Lines 14–22: An oath of obedience to the law is prescribed for all magistrates.

(4.) Lines 23–32: A similar oath is prescribed for senators.

Lines 1–6. in poplico ioudicio: this includes both the nearly obsolete *iudicium populi* before the comitia (tributa or centuriata) and public trials before *iudices* (jurymen). The offender is debarred the privilege of sitting in the senate, and of acting as one of the *iudices* at a trial; he must not be asked his *sententia* in the one, nor be given a *tabella* (to vote with) at the other. — **ne**: see on *neiquis*, n. 82, l. 3. All three forms, *nē, nei, nī* (l. 20), occur in this document. — In **testumonium** we have apparently *i* changed to *u* through influence of a following labial; labials being fond of *u*: *testi-monium* seems the proper form, from *testi-s*. — **deicito**, etc.: *testimonium dicere* is to give testimony, *testimonium deferre* to permit one to testify, *testimonium denuntiare* to summon one as a witness. — **denontiari**: cp. *nontiata*, n. 105, l. 5, and *pronontiato*, Lex repet. CI. 198, l. 42. Both **nōntius* and *nūntius* are contracted from **noventius* ('new-comer'). — **recuperatorem**: *recuperatores* were a special kind of judges or jurymen, who were appointed, instead of ordinary *iudices*, to decide certain classes of suits, primarily those in which international relations were involved, as claims for money between Romans and *peregrini*: the matter is, however, not fully understood. A *iudex* may be public (belonging to one of the regularly constituted boards) or private (appointed by the magistrate for a particular private suit). An *arbiter* is appointed by a magistrate to settle involved affairs (claims and counter-claims) where there is no direct and sharply defined issue between the parties. — **in poplico luuci** (Introd.

5 praetextam neive soleas h*abeto*, neive quis *mag(istratus) ibei praetextam soleasve habere eum sini*to. Mag(istratus) queiquomque comitia conciliumve habebit, eum sufragium ferre
6 nei sĩnito, *neive eum censor in senatum legito neive in senatu* relinquito.

7 *Sei tr(ibunus) pl(ebei), q(uaestor), IIIvir cap(italis), IIIvir a(greis) d(andeis) a(dsignandeis), ioudex* quei ex hace lege plebeive scito factus erit, senatorve fecerit *ges-*
8 seritve, quo ex hace lege *quae fieri oporteat minus fiant, quaeve ex* h(ace) l(ege) facere oportuerit oportebitve non fecerit sciens d(olo) m(alo); seive advorsus hance legem
9 fecerit *sciens d(olo) m(alo): multa tanta esto HS . . n(ummum), et* eam pequniam quei volet magistratus exsigito. Sei postulabit quei petet, pr(aetor) recuperatores

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22): *lux* is masculine in old Latin; Plaut. Aul. 741. But more likely the meaning is 'in public in the daytime'; cp. l. 17 and 24. — **soleas**: the red shoes (*mullei*) are meant, which, like the *praetexta*, distinguished the curule magistrates. — **queiquomque** = *quicumque*. — **concilium**: the *comitia tributa* seem to be meant, which are often called *concilium plebis*.

Lines 7, 8. triumvir capitalis: these were police magistrates who had charge of arrests, prisons, and executions. — **triumvir agreis**, etc.: for carrying out the agrarian laws. Such magistrates existed only 621/133–636/118. — **quei ex hace**, etc.: these words refer only to *ioudex:* the judge to be appointed by the provisions of the present law. — **lege plebeive scito**: the enactment is worded as if it were uncertain whether it would be passed at the rogation of a curule magistrate by either comitia (*lex*) or at that of a tribune by the comitia tributa (*plebei scitum*). Both were equally binding. — Join **quo . . minus fiant**. — **oportuerit** (future perfect) **oportebitve**: simply legal fulness; **fecerit** following, as well as **fecerit gesseritve** above, is of course the future perfect indicative. — **dolo malo**: the ancient legal phrase.

Lines 9–13. multa tanta esto Mommsen supplies from the Oscan law: others *damnas esto dare*. — **pequniam**: Introd. 23. — **quei petet**: *multam petere* is to propose the infliction of a fine where a fine of definite amount is prescribed by statute: the *petitor* can be a private person. 'If the proposer of the fine demands, the praetor shall appoint *recuperatores* . . . and shall give directions (to the *recuperatores*) that in case the offense

10 . . . . . *quos quotque dari opo*rteat dato, iubetoque
eum, sei ita pariat, condumnari popul(o), facitoque ioudicetur.
11 Sei condemnatus *erit, quanti condemnatus erit, praedes* ad
q(uaestorem) urb(anum) det, aut bona eius poplice possi-
deantur facito. Sei quis mag(istratus) multam inrogare
12 volet, *quei volet, dum minoris* partus familias taxsat, liceto,
eiq(ue) omnium rerum siremps lexs esto, quasei sei is haace
13 lege *pequniam, quae s(upra) s(cripta) e(st), exegisset.*

is proved, he shall be condemned (to pay the fine) to the people, and shall see that judgment is pronounced on him.' The object of having recourse to the board of *recuperatores* is to insure the prompt collection of the fine. — **pariat** = *pareat*, an unusual corruption. *Pāret* is in this formula equivalent to *appāret*. — **condumnari**; but just below *condemnatus : condumno* is not elsewhere found. — **quanti**: genitive of value. — **praedes**: *praes, praed-is* is for *praeves, prae-vīd-is* (CI. 200, l. 46), compounded of *prae* and *vas, vād-is*. — **Sei quis magistratus**, etc.: 'If any magistrate choose to propose a greater fine than the above, whoever shall thus choose may do so, provided it amount to less than half the man's property, and to him (i.e., this magistrate) the law shall apply in every respect just as if he had exacted, in accordance with this law, only the amount prescribed above.' A magistrate was said **multam inrogare** when he imposed a fine greater than that prescribed by law; in that case the offender had the right of appeal, and the matter was brought before the *comitia tributa*. — **dum . . taxsat** (later written as one word): 'provided it reaches' or 'touches'; *taxāre*, for **tactāre*, is a frequentative from *tangere* (root *tag-*). Its construction with the genitive is surprising, and reminds one of the genitive after verbs of touching in Greek. We should expect the accusative. — **partus**: Introd. 37: cp. *Castorus*, l. 17. *Pars* is here treated quite as a consonant-stem (*part-*), though it was originally an *i*-stem (*parti-*). — **familias**: gen. sing. — **omnium rerum**: 'in all respects.' For this old use of the genitive Wordsworth aptly compares the formula *eius hac lege nihil rogatur*, 'regarding that nothing is proposed by this law' (CI. 200, l. 34). — **siremps** (in prol. Plaut. Amph. 73, *sirempse*): 'just so.' The etymology is probably *sī rem eampse*, 'thus in very fact'; *sī* being *sī-c* without its *c*, and *rem eampse* accusative of specification. For *eampse* see Plaut. Cist. 172. (Corssen's explanation is slightly different.) — **quasei sei**: pleonastic for simple *quasei*, as in n. 106, I. l. 40, II. l. 4, and generally in legal phraseology: cp. prol. Plaut. Cas. 46. Analogous to *nisi si*, which is quite common. The spellings *quasei* and *nisei* are regular in inscriptions of this time, though the poets, even Plautus and Ennius, measure always *quăsī, nīsī*.

14 *Co(n)s(ul)*, *pr(aetor)*, *aid(ilis)*, *tr(ibunus)* *pl(ebei)*, *q(uaestor)*, *IIIvir cap(italis)*, *IIIvir a(greis)* *d(andeis)* *a(dsignandeis)*, *que*i nunc est, is in diebus V proxsumeis, quibus queique eorum sciet h(ance) l(egem) popolum ple-
15 bemve *iousisse*, *iouranto*, *utei i(nfra)* *s(criptum)* *est*. *Item* dic(tator) co(n)s(ul), pr(aetor), mag(ister) eq(uitum), cens(or), aid(ilis), tr(ibunus) pl(ebei), q(uaestor), IIIvir cap(italis), IIIvir a(greis) d(andeis) a(dsignandeis), ioudex
16 ex h(ace) l(ege) plebive scito *factus* . . . . . *queiquomque eorum p*ost hac factus erit, eis in diebus V proxsumeis, quibus quisque eorum mag(istratum) inperiumve inierit, iou-
17 ranto, *utei i(nfra)* *s(criptum)* *est*. *Eis consistunto pro ae*de Castorus palam luci in forum vorsus, et eidem in diebus V
18 apud q(uaestorem) iouranto per Iovem deosque *Penateis: sese quae ex h(ace)* *l(ege)* *oport*ebit facturum, neque sese advorsum h(ance) l(egem) facturum scientem d(olo)
19 m(alo), neque seese facturum neque intercesurum, *quo quae ex h(ace)* *l(ege)* *oportebit minus fiant*. *Qu*ei ex h(ace) l(ege) non iouraverit, is magistratum inperiumve nei petito
20 neive gerito neive habeto, neive in senatu *sententiam deicito deicereve eum* ni quis sinito, neive eum censor in senatum

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Lines 14–16. quei nunc est: i.e., those now in office. Future magistrates are provided for in the next sentence. — For **quibus**, 'after,' see on n. 82, l. 29. — **popolum plebemve**: *populus* is either comitia under a curule magistrate, *plebs* the comitia tributa under a tribune. — **plebi**: contracted from *plebēī*: see above, l. 7. — **eis**: nom. plur.: Introd. 47. — **Lines 17–19. in forum vorsus**: *vorsus* is a sort of *petrified* nomin. sing. masc., as it were, which came to be used for different cases and numbers. Consult lexicon (*versus*) for further examples. — **in diebus V** seems rather out of place here, but apparently only one oath is indicated, before the quaestor in front of the temple of Castor, which was at the foot of the Palatine. Three columns and the substructions of this temple still remain. For the senators, however, the *aerarium* (l. 24) is indicated as the place of swearing: this was in the temple of Saturn, at the other end of the forum. Of this temple also considerable remains (from a later restoration) still exist. — **neque intercesurum**: *intercessio* was the right of the tribunes.

legito. Quei ex h(ace) l(ege) ioudicaverit, is facito apud
21 q(uaestorem) urb(anum) *eius quei ita utei s(upra) s(cri-*
*ptum) e(st) iourarit nomen persc*riptum siet; quaestorque ea
nomina accipito, et eos quei ex h(ace) l(ege) apud sed
22 iourarint, facito in taboleis *popliceis perscribat.*

23 *Quei senator est eritve inve senatu sententi*am deixerit
post hance legem rogatam, eis in diebus X proxsumeis,
24 quibus quisqu*e eorum sciet hance legem popolum plebemve*
*iousisse i*ouranto apud quaestorem ad aerarium palam luci
per Iovem deosque Penate*is: sese quae ex h(ace) l(ege)*
25 *oportebit facturum esse, neque se*se advorsum hance legem
facturum esse, neque seese quominus sei . . . . . .
26 . . . . . se hoice leegei . . . . anodni *io*uraver*int* . . .
27 . . . . . .
28 . . . . . e quis magistratus p . . . . . .
29 . . . . . .
30 . . . . . *u*ti in taboleis popl*iceis* . . . . . .
31 . . . . . *tr*inum nondin*um* . . . . . .
32 . . . . . is erit uu . . . . . .

Decision of the Minucii between the Genuates and their Tributaries.

104. Q. M. Minucieis Q. f. Rufeis de controvorsieis inter Genu-
2 ateis et Veiturios in re praesente cognoverunt, et coram

Lines 20-22. Quei ex hace lege ioudicaverit: i.e., the judge elected in accordance with this law: *iudicare* = *iudex esse.* — **perscriptum siet:** coordinate subjunc. after *facito*, as lines 10, 11, above. — **apud sed:** Introd. 44. — **Lines 23-25. post hance legem rogatam:** 'after the passage of this law.' The magistrate was said *rogare legem* because he asked the people whether they voted for it ('*velitis iubeatis*,' etc.). — **Line 26. hoice** = *huic.* — **Line 31. nōndinum** (= *nūndinum*) is like *nōntius* (= *nūntius*): cp. note on *noundinum*, n. 82, l. 23.

104. CI. 199. Bronze plate found near Genoa. Date 637/117. A dispute as to boundaries and tenure of land had arisen between the people of

3 inter eos controvosias composeiverunt, et qua lege agrum possiderent et qua fineis fierent dixserunt. Eos fineis facere
4 terminosque statui iuserunt; ubei ea facta essent, Romam coram venire iouserunt. Romae coram sententiam ex se-
5 nati consulto dixerunt eidib(us) Decemb(ribus) L. Caecilio Q. f., Q. Muucio Q. f. co(n)s(ulibus).

Qua ager privatus casteli Vituriorum est, quem agrum eos
6 vendere heredemque sequi licet, is ager vectigal nei siet.

Genua and the *Langenses Viturii*, a *castellum* (see on *servei*, n. 81) or tributary community of theirs. The Roman senate had sent the two brothers Minucius to settle the dispute, who after their return to Rome rendered the above decision. — The Viturii hold two kinds of land: (1) *ager privatus* held in their own right: for this no tax is to be paid; and (2) a portion of public lands, *ager poplicus*, belonging to Genua; for the use of this a gross sum is to be paid yearly, which is to be assessed upon all the holders *pro portione*, including any Genuates who may hold there (l. 25–32). Common pasture-lands (*ager compascuos*, l. 33) — presumably those within the limits of the above tract of public land — are to be open to any Genuan or Viturian. The meadows (*prata*, l. 37–42) which form part of this public land, are reserved for the sole use of the Viturii, but their extent is not to be increased. — The spelling of the document is rather inconsistent. Prepositions are frequently written as proclitics; thus *iure*, l. 2; *adterminum*, l. 13; but this has not been followed in the text. The names of streams and mountains are Ligurian.

Lines 1–5. Minucieis and **Rufeis** are nominative plural; Introd. 34. 'Quintus and Marcus Minucius Rufus, sons of Quintus,' — **Genuateis** = *Genuatīs: ei* simply a sign for *ī*. Gentile names in *-ās, -ātis* (*Arpīnās*, etc.) are originally *i*-stems (old nom. *Arpīnāti-s*), and have properly the accusative plural in *-īs*. — **in re praesente**: technical phrase; 'on the spot'; cp. Liv. xlii. 23, *praeter agrum de quo ante legati ab Roma, qui in re praesenti cognoscerent, missi essent*, etc., also xxxiv. 62, xl. 17 and 29. — **controvosias**: *r* lost before *s* as in *sūsum* (l. 7) for *sursum*, *rūsum* for *rursum*; so also *prōsa oratio* for *prorsa*, and *tostus* for **tors-tus* (*torrev*). — **composeiverunt**: see on *poseivei*, n. 100. — **qua lege**: 'on what terms.' — **fineis** (after *qua*): nomin. plur. Introd. 39. Three cases occur in this inscription. — **facere . . . statui**: the change from active to passive is awkward. — **terminos**: 'boundary-stones.' — **senati**: see n. 101. — **Qua**: 'where.' — **eos vendere . . . licet**: the accusative and infinitive with *licet* is not confined to early Latin. — **heredemque sequi**: *quem agrum* has to be repeated as subject. An inheritance is said *sequi heredem*, 'to pass to the heir.'

Langatium fineis agri privati. Ab rivo infimo, qui oritur
7 ab fontei in Mannicelo, ad flovium Edem; ibi terminus stat.
Inde flovio suso vorsum in flovium Lemurim. Inde flovio
8 Lemuri susum usque ad rivom Comberane(am). Inde rivo
Comberanea susum usque ad comvalem Caeptiemam; ibi
termina duo stant circum viam Postumiam. Ex eis ter-
9 minis recta regione in rivo^{m} Vendupale^{m}. Ex rivo Vindu-
pale in flovium Neviascam. Inde dorsum fluio Neviasca
10 in flovium Procoberam. Inde flovio Procobera deorsum
usque ad rivom Vinelascam infumum; ibei terminus stat.
11 Inde sursum rivo recto Vinelasca; ibei terminus stat prop-
ter viam Postumiam. Inde alter trans viam Postumiam
12 terminus stat. Ex eo termino, quei stat trans viam Postu-
miam, recta regione in fontem in Manicelum. Inde deor-

Lines 6-8. vectigal = *vectigalis: -is* has dropped off, as in *vigil* for *vigili-s*. But Momms. writes *vectigal(is)*. — **Langatium**: the *Langates* or *Langenses* are the same as the Viturii, as appears from l. 24, etc. As the above two forms, so also *Genuates* and *Genuenses* are here used indifferently. — **fontei**: *ei* for *ī*. — **Mannicelo**: probably a hill; one in the neighborhood is now called *Maniceno*. — **ad flovium E.**: 'at the river E.' The starting-point is the mouth of the brook, where it flows into the Edus. *Flovius* is the earlier form for *fluvius*. The combination *uv* is not so studiously avoided as *vu*, *uu*, yet the earlier language shows a dislike of it. See *fluio* just below. — **suso vorsum** = *sursuorsum* (l. 14) = *sursumvorsum* (l. 15; Cato R. R. 33): equivalent to simple *sursum* (the expression is pleonastic, for *sursum* is itself **sub-vorsum*): *flovio suso vorsum* = 'up the river' (Edus). Ablative of the road by which (Allen and Greenough, 258 *g*; Roby's Gramm. 1176; Gildersleeve, 387) further defined by an adverb. — **comvalem**: see on *comvovise*, n. 82, l. 14. — **termina**: from *termen* (= *terminus*), a form noticed by Varro Ling. Lat., v. 21. — **circum viam Postumiam**: the road from Genua northward to Dertona, not elsewhere called by this name. Probably a stone on each side of the road is meant, as l. 11.

Lines 9-11. rivo^{m} Vend.: *m* omitted, as l. 14, 20, contrary to the usage of this period. — **dorsum** = *deorsum* (i.e. **de-vorsum*): contracted like *prōrsum* (**pro-vorsum*). — **fluio**: *uv* is avoided by omitting *v*. — **Procoberam**: called below *Porcobera* (l. 22), and by Pliny (hist. nat. iii. 5, 48) *Porcifera;* the modern name is *Polcevera*. — **flovio Procobera**: the plate has *Procoberam;* a blunder of the graver. — **infumum** = *infimum*. —

13 sum rivo, quei oritur ab fonte en Manicelo, ad terminum quei stat ad flovium Edem.

Agri poplici quod Langenses posident, hisce finis videntur
14 esse. Ubi comfluont Edus et Procobera, ibei terminus stat. Inde Ede flovio sursuorsum in montem Lemurino^{m} infumo^{m};
15 ibei terminus stat. Inde sursumvorsum iugo recto monte Lemurino; ibei termin*s* stat. Inde susum iugo recto
16 Lemurino; ibi terminus stat in monte pro cavo. Inde sursum iugo recto in montem Lemurinum summum; ibi
17 terminus stat. Inde sursum iugo recto in castelum, quei vocitatust Alianus; ibei terminus stat. Inde sursum iugo
18 recto in montem Ioventionem; ibi terminus stat. Inde sursum iugo recto in montem Apeninum, quei vocatur Bo-
19 plo; ibei terminus stat. Inde Apeninum iugo recto in montem Tuledonem; ibei terminus stat. Inde deorsum iugo recto in flovium Veraglascam in montem Berigiemam
20 infumo^{m}; ibi terminus stat. Inde sursum iugo recto in montem Prenicum; ibi terminus stat. Inde dorsum iugo
21 recto in flovium Tulelascam; ibi terminus stat. Inde sursum iugo recto Blustiemelo in montem Claxelum; ibi ter-
22 minus stat. Inde deorsum in fontem Lebriemelum; ibi

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sursum rivo recto: 'straight up the brook.' — **Lines 12-15.** *en* is the older form for *in*, as *endo* for *indu*, but it is surprising to find it in an inscription of this age. — **Agri poplici** is of course partitive genitive with *quod*. — **hisce**: nom. plur. Introd. 48. — **comfluont**: this is the only case of *com-* before *f*, and spellings like *im fronte* (CI. 1104) are exceedingly rare. — **Edus**: but accus. *Edem* and ablat. *Ede* (l. 7, 13, 14). — **sursumvorsum iugo recto**, etc.: 'straight up the ridge of the mountain L.'

Lines 17-19. quei: the usual attraction into gender of the predicate-noun. — **vocitatust** = *vocitatus est*. — **Ioventionem**: a summit in the neighborhood is now called *Giovo delle Reste*; a brook near it, *la Gioventina*. — **in montem Apeninum**: *Apeninus* is here appellative; 'that summit of the Apennine chain, which is called Boplo.' — **Apeninum iugo recto**: *Apeninum* is possibly genitive plural, but more likely a mistake for *Apenino*. — **in flovium Veragl.** etc.: 'to the river V., at the foot of the mountain B.' Cp. l. 12. — **Lines 21-23. Blustiemelus** seems to be a hill. — **Eni-**

terminus stat. Inde recto rivo Eniseca in flovium Porco-
23 beram; ibi terminus stat. Inde deorsum in floviom Porco-
beram, ubei conflovont flovi Edus et Porcobera; ibi terminus
stat.

24 Quem agrum poplicum iudicamus esse, eum agrum cas-
telanos Langenses Veiturios po*si*dere fruique videtur opor-
25 tere. Pro eo agro vectigal Langenses Veituris in poplicum
Genuam dent in anos singulos vic(toriatos) n(ummos)
CCCC. Sei Langenses eam pequniam non dabunt neque
26 satis facient arbitratuu Genuatium, quod per Genuenses
mo*ra* non fiat, quo setius eam pequniam acipiant; tum
27 quod in eo agro natum erit frumenti partem vicensumam,
vini partem sextam Langenses in poplicum Genuam dare
28 debento in annos singolos.

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seca: the stream near which the tablet was found is called *la Secca*.— **floviom**: note the ending *-om*, exceptional at this time. — **conflovont** = *confluont*. The present *flov-o* is formed with the same strengthening of the root (*flu-*) which we have in *douc-o* (*dūc-*). It is analogous to Greek presents like *ῥέω*, older *ῥέϝ-ω*, from root *ῥυ-*. Probably not only *fluo*, but *ruo*, *cluo*, etc., formed their presents originally in the same way. — **flovi**: contraction of *-ii*, older *-iei*, in nominative plural is rare in inscriptions and almost unknown in literary Latin. Introd. 14. Other instances are *filei*, *socei* (CI. 1274, 1041).

Lines 24–27. frui takes the accusative in old Latin, as Plaut. Asin. 918. Cp. l. 34. — **Veturis**: nom. plur., contracted from *-ieis*; so again, l. 35, but *Viturieis*, l. 37 and 42. — **Genuam**: accusative of place whither, used after *in poplicum* by a sort of attraction; 'into the public treasury at Genua.' — **victoriatos nummos**: these were equal to the Massilian drachmae. As these last were common currency in the Po region and Liguria, the Romans had coins of the same value struck for that country, which were called *victoriati*. In value 4 victoriati = 3 denarii. Mommsen, Röm. Münzwesen, p. 389 fig. — **arbitratuu**: as *Muucio*, l. 5, 29. 'In the judgment of the G.' — **quod**: 'so far as,' 'provided that.' — **setius**: the only correct spelling for what has been vulgarly written *secius*. According to Corssen's very probable etymology, *sētius* stands for **seg-tius*, comparative of a **seg-tus* = *segnis*; so the word would mean properly 'slower.' Cp. *quo minus setiusve fiat*, Lex repet. CI. 198, l. 70. — **vicensumam** = *vicesimam*. All numerals in *-ēsimus* have lost an *u* before the *s*.

Quei intra eos fineis agrum posedet Genuas aut Viturius,
29 quei eorum posedeit k(alendis) Sextil(ibus) L. Caicilio Q. Muucio co(n)s(ulibus), eos ita posidere colereque liceat. E*i*s, quei posidebunt, vectigal Langensibus pro portione dent
30 ita uti ceteri Langenses, qui eorum in eo agro agrum posidebunt fruenturque. Praeter ea in eo agro niquis posideto nisi
31 de maiore parte Langensium Veiturioruni sententia, dum ne alium intro mitat nisi Genuatem aut Veiturium colendi causa.
32 Quei eorum de maiore parte Langensium Veiturium sententia ita non parebit, is eum agrum nei habeto nive fruimino.

33 Quei ager compascuos erit, in eo agro quo minus pecus *p*ascere Genuates Veiturioscue liceat ita utei in cetero agro
34 Genuati compascuo, niquis prohibeto, nive quis vim facito; neive prohibeto quo minus ex eo agro ligna materiamque
35 sumant utanturque.

Vectigal anni primi k(alendis) Ianuaris secundis Veturis

Lines 28-32. **posedet** and **posedeit** are perfects: Introd. 57 (2). — **eorum** repeats in thought the omitted antecedent of the first *quei*. Out of all former holders, those who held at a certain date are to continue in possession. — **ita** = *item*. — **Eis**: nom. plur.: Introd. 47. The meaning of the unskilfully expressed sentence is that the old holders are to contribute their portion of the tax as well as new-comers. — **niquis**: see on n. 82, l. 3; so **nive** below. — **maiore parte**: read *maioris partis*, and so again in the next sentence: it is another mistake (of the graver?). — **mitat** = *mittat*. The landholder is not to send in any tenant or laborer who is not either Genuan or Viturian. — **Veiturium** (after *Langensium*) is of course genitive plural. — **parebit** = *apparebit*: 'shall not appear to conform to the above requirements.' — **fruimino**: Introd. 63. Cp. n. 174. In origin, this form is the nominative of an old participle in *-minos*, with *esto* understood: *sequimino(s)* = ἑπόμενος ἔστω, as it were.

Lines 34, 35. **ligna materiamque**: 'firewood and timber.' — **utantur**: *utor*, like *fruor*, takes the accusative regularly in early Latin. — **Ianuaris**: stems in *-io-* have in the older inscriptions their dative and ablative plural regularly in *-ieis*, seldom in *-is* or *-eis* contracted (but see *controversis* below, l. 45; cp. *oficeis*, CI. 1050), never in *-iis*. Introd. 14. — **Veturis**: see l. 25. *Vēt-* for *Veit-* or *Vit-*.

36 Langenses in poplicum Genuam dare debento. Quod ante k(alendas) Ianuar(ias) primas Langenses fructi sunt eruntque, vectigal invitei dare nei debento.

37 Prata quae fuerunt proxuma faenisicei L. Caecilio Q. Muucio co(n)s(ulibus) in agro poplico, quem Vituries Lan-
38 genses posident et quem Odiates et quem Dectunines et quem
39 Cavaturineis et quem Mentovines posident, ea prata, invitis Langensibus et Odiatibus et Dectuninebus et Cavaturines et
40 Mentovines, quem quisque eorum agrum posidebit, inviteis eis niquis sicet nive pascat nive fruatur. Sei Langueses aut Odi-
41 ates aut Dectunines aut Cavaturines aut Mentovines malent in eo agro alia prata inmittere defendere sicare, id uti facere
42 liceat, dum ne ampliorem modum pratorum habeant, quam proxuma aestate habuerunt fructique sunt.

43 Vituries quei controvorsias Genuensium ob iniourias iudicati aut damnati sunt, seiquis in vincoleis ob eas res est,
44 eos omneis solvei mittei leiber*are*ique Genuenses videtur oportere ante eidus Sextilis primas.

Lines 37-39. proxuma faenisicei: 'last hay-time.' We have apparently the ablative of a feminine *faenisex*, in meaning equivalent to *faenisicia*. *Faenisex* masculine means 'mower.' *Faenum* is the correct spelling, not *fēnum* nor *foenum*. — **Odiates**, etc.: other communities, sustaining to Genua the same relation as the Langenses Viturii. **Odiates** and **Dectunines** are of the third declension, **Cavaturineis** and **Mentovines** seem to be of the second (= *Cavaturini*, *Mentovini*), as their ablatives just below end in *-ēs* (for *-eis*). With **Dectuninebus** cp. *Tempestatebus*, n. 75, l. 6. — **quem quisque eorum**, etc.: 'as touching that land which they shall severally possess.' The whole clause means what we should express by the simple word 'respectively.' — **Lines 40-42. sicet** and **sicare** below: for *secet*, *secare*, 'cut.' A provincialism not elsewhere found. Cp. *sīca*. — **pascat**: 'use for grazing.' Cp. Verg. Aen., xi. 319. — **Langueses** = *Langenses*: *n* omitted, *gu* for *g*. — **inmittere**: 'let grow.'

Lines 43, 44. controvorsias . . . iudicati aut damnati, 'tried or condemned in dispute'; a free use of the inner or 'cognate' accusative, somewhat analogous to the expressions *vincere iudicium*, *sponsionem* (Cicero). — **solvei**, etc.: *-ei* in infinitive passive is not etymologically justified, and occurs only after the time of the Gracchi. Earlier monuments have *-ī* (or *-ier*).

45 Seiquoi de ea re iniquom videbitur esse, ad nos adeant primo quoque die et ab omnibus controversis i thono publli.

46 Leg(ati) Mogo Meticanio Meticoni f(ilius), Plaucus Peliani(o) Pelioni f(ilius).

Senatus Consultum de Tiburtibus.

105. L. Cornelius Cn. f. pr(aetor) sen(atum) cons(uluit) a. d. III nonas Maias sub aede Kastorus. Scr(ibendo) adf(uerunt) A. Manlius A. f., Sex. Iulius . . ., L. Postumius S. f.

Quod Teiburtes v(erba) f(ecistis) quibusque de rebus vos purgavistis, ea senatus animum advortit ita utei aequom fuit.

— **Genuenses**: object of *oportere*. We have here the construction *oportet me aliquid fieri*, 'it behooves me that something be done,' but I do not know a parallel case. *Oportet* is for **op-portet*, 'falls to my share' (from an obsolete **portēre*), and so its taking a direct object is not surprising. — **Lines 45, 46. ad nos**: the commissioners named below. — **primo quoque die**: 'at the earliest possible day.' — **controversis**: see on l. 35. The following words were hopelessly confused by the graver, who could not understand his copy. The sense requires something like *controversis abstineant* (Mommsen). — **Meticanio** and **Pelianio** are probably nominatives of *o*-stems with *-s* omitted. Observe the relation, in these Ligurian names, between the surnames in *-anio-s* and the fathers' names in *-ono-s*. The surnames would seem to be hardly more than patronymics formed with suffix *-io-*, such for instance as the Boeotians had; Ἀπολλοδώριος = son of Ἀπολλόδωρος. In fact, a large part of the Roman *gentilicia* had a like origin, *Tullius* from *Tullus*, *Quintius* from *Quintus*.

105. CI. 201. Bronze plate found at Tibur, now lost. The Tiburtines had fallen under some suspicion (of what offense we do not know), and had sent to Rome to clear themselves before the senate, upon which this decree was passed. This is all that can be made out. The age of the inscription is uncertain: from its spelling it would seem to belong not very far either side of 654/100. The document, like the S.C. de Bacchanalibus (n. 82), is not strictly a decree, but a letter from the praetor embodying the substance of the decree. — For the opening forms see n. 82. — **Lines 1, 2. Kastorus**: Introd. 37; cp. n. 103, l. 17. — **S.** = *Spuri*. — **Line 3. Quod** introducing a matter for remark, or the occasion for the following remark (Allen and Greenough, 333 *a*) is continued by **quibus** in the same function: 'whereas . . . and whereas concerning certain matters,' etc. — **Lines 4, 5. animum advortit**: later joined, *animadvertit*. — **nontiata**:

Nosque ea ita audiveramus, ut vos deixsistis vobeis nontiata esse. Ea nos animum nostrum non indoucebamus ita facta esse propter ea quod scibamus ea vos merito nostro facere non potuisse, neque vos dignos esse, quei ea faceretis, neque id vobeis neque rei poplicae vostrae oitile esse facere. Et postquam vostra verba senatus audivit, tanto magis animum nostrum indoucimus, ita utei ante arbitrabamur, de eieis rebus af vobeis peccatum non esse. Quonque de eieis rebus senatuei purgati estis, credimus vosque animum vostrum indoucere oportet, item vos populo Romano purgatos fore.

Lex Cornelia de XX quaestoribus.

106. . . . *Tribus* . . . principium fuit: pro tribu . . . . *primus scivit.*

. . . . . .

PAGE I. . . . . *ad* q(uaestorem) urb(anum), quei aerarium provinciam optinebit, eam mercedem deferto, quaestorque quei

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see on n. 103, l. 3.—**Line 9. oitile** = *ūtile:* Introd. 8. Cp. *oetantur* = *ūtantur*, Lex agr., CI. 200, l. 11, and *oeti* = *ūti*, CI. 603.—**Line 11. eieis**: this form is interesting as preserving the pronoun-stem *eio-*, older form of *eo-;* this stem arises from *i-* (*i-s*, *i-d*) by diphthongal strengthening and addition of *o.*—**af vobeis**: cp. *af Capua*, n. 100, and note.—**Quonque** = *quomque*. *Quom* causal takes indicative in early Latin, as Plaut. Capt. 353.

106. CI. 202. Bronze plate found at Rome in the ruins of the temple of Saturn (see on n. 103, line 17), which was the regular place of deposit for state archives. It is the eighth of a series of nine or ten tablets, on which was engraved a law of Sulla: the rest are lost. It contains two pages or columns. The tablets were nailed up in a horizontal row, and the *praescriptio*, or heading, ran along the tops of all of them in large letters: of this only four words (**principium fuit: pro tribu**) are on the preserved plate. The whole, as we know from other documents (in particular the Lex Quinctia *de aquae ductibus* in Frontinus), must have read about as follows: *L. Cornelius L. f. Sulla dictator de senatus sententia populum iure rogavit populusque iure scivit in foro* . . . (here followed the exact place and the date) . . . *Tribus Sergia principium fuit; pro tribu P. Terentius P. f. Varro primus scivit;* whereby the names of the tribe and the first voter

aerarium provinciam optinebit eam pequniam ei scribae scribeisque heredive eius solvito, idque ei sine fraude sua

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are of course merely inserted by way of example. In the comitia tributa, the tribe which voted first (or, according to Mommsen, that which first announced the result of its vote) was called *principium*. The present enactment, although passed in the comitia tributa, is still a *lex*, because passed at the rogation of a curule magistrate (dictator). If proposed by a tribune, it would be a *plebis scitum*, and the *praescriptio* would have *plebem, plebes*, instead of *populum, populus*.

The law is one of Sulla's enactments during his dictatorship (Tac. Ann., xi. 22) and so falls in all probability in the year 673/81. It raised the number of quaestors to twenty. The part preserved treats only of the attendants (*apparitores*) of the city-quaestors, and provides (1) for the payment of the *scribae*, and (2) for the appointment of additional *viatores* and *praecones:* the quaestors namely are hereafter to appoint four viatores and four praecones, where before they appointed three, and for the next three years the present consuls are to appoint additional viatores and praecones, — one each for each year. But this matter is involved in some obscurity, and there are two possible ways of understanding the arrangement. The viatores who serve for any one year form a so-called *decuria*, and so too the praecones. Now the simplest supposition is that these decuriae had heretofore consisted of three men each, and were appointed by the quaestors once in three years only, nine men being appointed, three for each of the succeeding years; thus the quaestors for 673 would have appointed three viatores for 674, three for 675, and three for 676. The quaestors for 676 would then by this law appoint four for each of the following three years. But meanwhile, that the decuriae may be immediately increased, the consuls are directed to appoint one supplementary viator each for 674, 675, 676. But Mommsen thinks, with some reason, that the arrangement was probably a little more complicated. The decuriae, according to his view, had consisted of nine men, and are hereafter to consist of twelve. One third of the decuriae for the three succeeding years are appointed by the quaestors of each year: namely, three (hereafter four) men in each decuria; so that the decuria for any one year contains appointees of the three preceding years. Thus the viatores during the transitional period would be as follows: —

Decuria for 674.	*Decuria for 675.*	*Decuria for 676.*
3 app. by quaest., 671.	3 app. by quaest., 672.	3 app. by quaest., 673.
3 app. by quaest., 672.	3 app. by quaest., 673.	1 app. by consuls, 673.
3 app. by quaest., 673.	1 app. by consuls, 673.	4 app. by quaest., 674.
1 app. by consuls, 673.	4 app. by quaest., 674.	4 app. by quaest., 675.
10	11	12

facere liceto, quod sine malo pequlatuu fiat, olleisque hominibus eam pequniam capere liceto.

Co(n)s(ules) quei nunc sunt, iei ante k(alendas) Decembreis primas de eis, quei cives Romanei sunt, viatorem unum legunto, quei in ea decuria viator appareat, quam decuriam viatorum ex noneis Decembribus primeis quaestoribus ad aerarium apparere oportet oportebit. Eidemque co(n)s(ules) ante k(alendas) Decembr(eis) primas de eis, quei cives Romanei sunt, praeconem unum legunto, quei in ea decuria praeco appareat, quam decuriam praeconum ex noneis Decembribus primeis quaestoribus ad aerarium apparere oportet oportebit. Deinde eidem consul(es) ante k(alendas) Decembreis primas viatorem unum legunto, quei in ea decuria viator appareat, quam decuriam viatorum ex noneis Decembribus secundeis quaestoribus ad aerarium apparere oportet oportebit. Eidemque co(n)s(ules) ante k(alendas) Decembreis primas praeconem unum legunto, quei in ea decuria praeco appareat, quam decuriam praeconum ex

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And the same for the praecones. It is to be observed that the same men could be, and usually were, chosen for successive years, so that the office was practically a permanent one.

Page I. Lines 1-5. quei aerarium provinciam, etc., 'who shall have the treasury as his department,' i.e., 'shall be charged with the administration of the treasury.' There were two *quaestores urbani*, both of whom, so far as we know, had equally charge of the *aerarium*, so that it does not seem as if a particular one were meant here. In the Lex repetundarum, CI. 198, l. 79, we have *quoi aerarium vel urbana provincia obvenerit*, as if the two were pretty much the same thing. — **mercedem deferto**: 'report the amount of wages due.' Subject is the magistrate: see below, ii. l. 40. — **sine fraude sua**: 'without prejudice to himself.' — **quod**: as n. 104, l. 26. With **pequlatuu** compare *arbitratuu*, ibid. — **olleis** (Introd. 49) **hominibus**: the scribes. — **Lines 6-10. k. Dec. primas**: that is, of the present year. — **appareat**: 'serve as *apparitor*.' — **ex noneis Decembribus**: this was the time when the quaestors entered on their term of office. Evidently the quaestors of the present year had already made their appointments for the succeeding years; hence the supplementary appointments are left to the consuls.

noneis Decembribus secundeis quaestoribus ad aerarium apparere oportet oportebit. Deinde eidem co(n)s(ules) ante k(alendas) Decembreis primas viatorem unum legunto, quei in ea decuria viator appareat, quam decuriam viatorum ex noneis Decembribus tertieis quaestoribus ad aerarium apparere oportet oportebit. Eidemque co(n)s(ules) ante k(alendas) Decembreis primas praeconem unum legunto, quei in ea decuria praeco appareat, quam decuriam praeconum ex noneis Decembribus tertieis quaestoribus ad aerarium apparere oportet oportebit. Eosque viatores eosque praecones omneis, quos eo ordine dignos arbitrabuntur, legunto. Quam in quisque decuriam ita viator lectus erit, is in ea decuria viator esto item utei ceterei eius decuriae viatores erunt. Quamque in quisque decuriam ita praeco lectus erit, is in ea decuria praeco esto ita utei ceterei eius decuriae praecones erunt. Sirempsque eis viatoribus deque eis viatoribus q(uaestori) omnium rerum iuus lexque esto, quasei sei ei viatores in eam decuriam in tribus viatoribus antea
PAGE 11. lectei sublectei essent, quam in quisque decuriam eorum ex hac lege viator lectus erit. Sirempsque eis praeconibus deque eis praeconibus quaestori omnium rerum iuus lexque esto, quasei sei ei praecones in eam decuriam in tribus praeconibus antea lectei sublectei essent, quam in quisque decuriam eorum ex hac lege praeco lectus erit.

Quosquomque quaestores ex lege plebeive scito viatores legere sublegere oportebit, ei quaestores eo iure ea lege viatores IIII legunto sublegunto, quo iure qua lege q(uaestores),

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Line 33. **Quam in quisque decuriam**: i.e. *quam in decuriam quisque*. — Line 37. **ita utei** = *item utei* above: 'on the same footing as.' — Line 38. **Sirempsque . . . omnium rerum**: see on n. 103, l. 12. — Line 41. **sublectei**: 'chosen as substitute' (*vicarius*, see II., l. 25). So *sublegere* below. The holders of such places often underlet or sold them to others, of course with the approval of the magistrate.

Page II. Line 7. **Quosquomque** = *quoscumque*. This appended

quei nunc sunt, viatores III legerunt sublegerunt; quosque-quomque quaestores ex lege plebeive scito praecones legere sublegere oportebit, ei quaestores eo iure ea lege praecones IIII legunto sublegunto, quo iure qua lege quaestores, quei nunc sunt, praecones III legerunt sublegerunt; dum niquem in eis viatoribus praeconibus legundeis sublegundeis in eius viatoris praeconis locum viatorem praeconem legant sublegant, quoius in locum per leges plebeive scita viatorem praeconem legei sublegi non licebit. Itaque de eis quattuor viatoribus quaestor queiquomque erit viatores sumito habeto, utei ante hanc legem rogatam de tribus viatoribus viatores habere sumere solitei sunt. Itaque de eis quattuor praeconibus quaestor queiquomque erit praecones sumito habeto, utei ante hanc legem rogatam de tribus praeconibus praecones habere sumere solitei sunt. Itemque eis viatoribus praeconibus quei ex hac lege lectei erunt, vicarium dare subdere ius esto licetoque, utei cetereis viatoribus praeconibus, qua in quisque decuria est, vicarium dare subdere iuus erit licebitque. Itemque quaestor(es) ab eis vicarios accipiunto, utei aa cetereis viatoribus praeconibus vicarios accipei oportebit.

Viatores praecones quei ex hac lege lectei sublectei erunt, eis viatoribus praeconibus magistratus prove mag(istratu) mercedis item tantundem dato, quantum ei viator(ei) praeconei darei oporteret, sei is viator de tribus viatoribus isque praeco de tribus praeconibus esset, quei ante hanc legem rogatam utei legerentur institutei sunt.

Quas in decurias viatorum praeconum consul ex hac lege

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quomque, 'ever,' is from *quom* 'when' as *quisque* from *quis*. — **Line 10. quosquequomque** = *et quoscumque*. — **Line 24. eis viatoribus praeconibus**: join with *ius esto licetoque*. — **Line 32. magistratus prove mag.**: 'the magistrate or person acting as magistrate': cp. n. 82, l. 12. — **Line 36. utei legerentur institutei sunt**: a rather awkward expression for *legi soliti sunt*. By a sort of attraction *institutei sunt* is put instead of the impersonal *institutum est*, which would be regular. It is not

40 viatores praecones legerit, quorum viatorum praeconum nomina in eis decurieis ad aedem Saturni in pariete intra cau/as proxume ante hanc legem *scripta erunt, eorum viatorum praeconum ad quaestorem urbanum quei aerarium provinciam optinebit eam mercedem deferto,* . . .

Inscriptions of Campanian magistri pagorum.

107. N. Pumidius Q. f.
M. Cottius M. f.
M. Eppilius M. f.
C. Antracius C. f.
L. Sempronius L. f.
P. Cicereius C. f.
M. Raecius Q. *f.*
N. Arrius M. f.
L. Heioleius P. f.
C. Tuccius C. f.
Q. Vibius M. f.
M. Valerius L. f.

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very unlike the expression *coeptus sum amari.* — **Line 41. intra caulas:** 'inside the railing,' surrounding the temple or the aerarium. The names are to be hung there on the wall close to the copy of the law itself. Mommsen fills out the sentence as above; the law went on to direct the payment, as in I., l. 2, flg. — The reader will have noticed in the above document, the latest which has been admitted into this collection, (1) the greater regularity of spelling: thus *-eis* always in dat. and abl. plur., *-ei* in nom. plur. of *o*-stems (but *-i* in gen. sing.), *-eis* (for *-is*) in acc. plur. of *i*-stems (but *-ēs* in nom. plur.), etc.; only dat. sing. *praeconei*, but *heredi, quaestori;* and *-i, -ei* interchangeably in infin. pass.: (2) the closer approximation to 'classic' usage: *ei* dat. sing. of *is, eis* dat. pl., *ei* nom. plur. (*iei* once); *lex* (not *lexs*); *hac lege, hanc legem* (not *hace hance*); doubled consonants everywhere, etc.

107. CI. 565. Capua. Date 646/108. — The political condition of Campania during the 150 years from the Hannibalic war to the year of Caesar's consulship (695/59) was peculiar. The whole country belonged to the Romans as *ager publicus*, and was let to plebeian holders, and the government was administered by *praefecti* sent from Rome. The communities, *pagi*, have certain local officers, *magistri pagi*. Inside the *pagi* there exist guilds or *collegia*, some of *ingenui*, others of *libertini*, others of slaves. The collegia are named partly from their tutelary divinities, partly from their handicraft. They seem to exist chiefly for religious purposes, but they stand in some organic relation to the pagus. At the head of each collegium stand twelve officers called *magistri* (to be distinguished from the *magistri pagi*); but in the collegia of slaves they are called *ministri*. These officers, in return

Heisce magistreis Venerus Ioviae murum aedificandum coiraverunt ped(um) CCIↃXX, et loidos fecerunt, Ser. Sulpicio M. Aurelio cos.

108. Ser. Sueti(us) Ser. l. Bal(bus). . . Babrius L. l.
P. Babrius L. l. P. Servilius M. l.
M. Sexti(us) N. M. l. Cn. Octavi(us) N. l. Ves(tinus?).
N. Sexti(us) N. M. l. M. Ocrati(us) M. l. Pist(or?).
L. Hordioni(us) L. l. Lab(eo?). P. Statius P. M. l.
C. Lucretius C. l. Apul(us). M. Mai(us) M. l. Nic(o?).
A. Gargonius Q. l.

Heisce magistreis Cererus murum et pluteum long(um) p(edes) IↃXXX, alt(um) p(edes) XXI faciund(um) coiravere, eidemq(ue) loid(os) fec(ere), C. Atilio Q. Servilio cos.

109. Pagus Herculaneus scivit a(nte) *d*(iem) X Termina*lia*, conlegium, seive magistrei Iovei Compagei *sunt*, utei in por-

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for the honor, contribute money for public purposes, the *magistri* giving games with it, unless directed to expend it in public works by a *pagi scitum*. I select three from among a number of similar extant inscriptions relating to these guilds. — **N.** = *Numerius*. — **Heisce magistreis**: nomin. plur., Introd. 48, 34. — **Venerus**: Introd. 37. *Venus Iovia* is the goddess of the collegium. **Iovia** is not elsewhere known as surname of Venus. It designates the goddess as standing in some relation to Jove. Compare *Here Martea* (Preller, Röm. Mythologie, p. 303) and the Umbrian *Çerfus Martius*. — **coiraverunt** = *cūraverunt*. — **loidos** = *lūdos*.

108. CI. 566. Capua. Date 648/106. The collegium (*Ceres*) is one of *libertini*, whereas the former one (*Venus Iovia*) was of *ingenui*. — **N. M. l.** (3d line) = *Numeri et Marci libertus*. Freedmen and slaves of *two masters* (brothers) occur often in these and other inscriptions. So just below **P. Statius P. M. l.**, and in the next inscription *T. Sulpicius P. Q. l.* See especially n. 110. — Thirteen *magistri* are named: doubtless one had been chosen to fill a vacancy.

109. CI. 571. Herculaneum apparently; but the stone was first known near Caserta. Date 660/94. The collegium — one of *libertini* — seems to be called after *Iovius Compāgus*, god of 'union' or 'brotherhood,' a name not known elsewhere. The community have voted that the officers of the guild

ticum paganam reficiendam pequniam consumerent ex lege pagana, arbitratu Cn. Lactori Cn. f. magistrei pagei, uteique ei conlegio, seive magistri sunt Iovei Compagei, locus in teatro esset tam quasei sei lu*d*os fecissent.

L. Aufustius L. l. Strato, C. Antonius M. l. Nico, Cn. Avius Cn. l. Agathocles, C. Blossi(us) M. l. Protemus, M. Ramnius P. l. Diopant(us), T. Sulpicius P. Q. *l.* Pul(ades), Q. Novius Q. l. Protem(us), M. Paccius M. l. Philem(o), M. Licculeius M. l. Philin(us), Cn. Hordeonius Cn. l. Euphemio, A. Pollius P. l. Alexand(er), N. Munnius N. l. Antiocus. C. Coelio C. f. Caldo *L.* Domitio Cn. f. Ahenobarb(o) cos.

Several Dedicatory Inscriptions

Of the time of the Gracchi or later.

110. Q. Caecilius Cn. A. Q. Flamini leibertus Iunone Seispitei matri reginae.

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expend their money in public repairs rather than on games. — **Terminalia**: 'landmark-feast,' the 23d of February. So Cicero writes to Atticus (vi. 1): *Accepi tuas litteras a. d. quintum Terminalia* (i. e. 19th Febr.). The reason of this mode of dating is that before Caesar's calendar reform, the month of February in every alternate year ended on the Terminalia: the remaining five days were omitted, and in their place was inserted the *mensis intercalaris* of 27 or 28 days. Accordingly after the ides of February they reckoned forward, in those years, first to the *kalendae intercalares* (but sometimes, as here, to the *Terminalia*), then to the intercalary nones and ides successively, and then finally to the calends of March. — **lege pagana**: the same as a *pagi scitum*. — **arbitratu**: 'oversight,' 'management.' — **pagei**: the stone has *pageiei*. — **teatro**: Introd. 15. — **tam quasei sei**: unusual fulness of expression; *tamquam si* and *quasi si* (see on n. 103, l. 12) are common. — **Protemus**, a singular name, occurs again CI. 943. — **Diopantus** = Διόφαντος.

110. CI. 1110. Near Lanuvium on a little temple. Q. Caecilius is freedman of Cn. and A. Caecilius and Q. Flaminius. **Seispitei** = *Sōspiti*. Juno Sospes or Sospita is a conception not unlike *Iuno Lucina* (n. 53). The cult originated in Lanuvium, which was famous for it. *Sispita* is elsewhere

111. M. P. Vertuleieis C. f(ilieis).

Quod ré suá *di*feídens ásperé afleicta
paréns timéns heic vóvit, vóto hóc solúto
*de*cumám factám poloúctam leíbereís lubéntes
donúm danúnt Hércolei máxsumé méreto;
semól te oránt se *v*óti crébro cóndémnes.

112. *Donum de*dit L. Aufidi(us) D. *f.* . . . *de*cuma facta *Hercolei* mer(eto) iterum. *Semol* te orat: tu es *sanctus* deus: quei tov*am te* pacem petit adiouta.

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found, and Festus gives us the form *sīspitem*. According to Corssen, the ī (*ei*) is due merely to the assimilating influence of the following syllable.

111. CI. 1175. Sora. Two brothers, Marcus and Publius Vertuleius, fulfil a vow made by their father. On the custom of dedicating a tenth to Hercules, see 99 and note. The inscription is of about the time of the Gracchi. The verses are Saturnians. — **Vertuleieis**: nom. plur. (Introd. 34), so too **leibereis** below. — **re** ('property') depends on **difeidens** (= *diffidens*). — **afleicta** = *afflicta*. Hiatus before this word, and again in the next verse. — **heic**: 'here,' at the shrine where the offering is made. — **poloucta** = *pollucta*. The old verb *pol-lūcēre* belonged to sacrificial language: Plaut. Stich. 233; *ut decumam partem si Herculi polluceam. Facere decumam* is to set aside the tenth part; *pollucere* is to present it; but with special reference to a sacrificial feast: cp. n. 154. — **dănunt** = *dant:* frequent in Plautus, who has also *dănit*. They are isolated forms of a present **dă-no*, formed like *lī-no, cer-no*. The following also occur: *explēnunt* (= *explent*), *nequinont* (= *nequeunt*, Liv. Andr.), *redīnunt* (= *redeunt*, Ennius), *prodīnunt, obīnunt, ferīnunt* (= *feriunt*), *inserīnuntur* (= *inseruntur*, Liv. Andr.), *solīno, solīnunt* (= *con-sulo, con-sulunt*). It will be seen that they are nearly confined to the 3d pers. plur. — **Hercolei**: cp. n. 83. On the fuller ending of this verse, see Introd. 68. — **mereto** in such dedications is usually ablative (see n. 69, 75, end), but seems here and in n. 112 to be dative. — **semol** = *simul*. 'Withal they pray thee to hold them often to payment of their vows.' *Condemnare* (or *damnare*) *voti* is to condemn a man to pay his vow, by granting his request. Allen and Greenough, 220 *a*.

112. CI. 1290. Found near ancient Amiternum. For the supplements cp. n. 99 and 111. — **tovam**: Introd. 46; *tovos* and *sovos* correspond exactly to the Epic Greek τεός (τεϝός) and ἑός (σεϝός). — **adiouta**: 'aid him who . .' etc.

113. P. Annaeus Q. *l.* Epicadus aedem Leiberi patrus faciund(am) coir(avit) lub(ens) mer(eto).

114. Venerei Erucinae.

115. Venerus Heruc(inae).

116. L. Rantius L. f. Tro(mentina) lumphieis.

Several Public Inscriptions

Of about the same period.

117. L. Betilienus L. f. Vaarus haec quae infera scripta sont de senatu sententia facienda coiravit: semitas in oppido omnis, porticum qua in arcem eitur, campum ubei ludunt, horologium, macelum, basilicam calecandam, seedes, *la*cum bali-

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113. CI. 1469. Narona in Dalmatia. — **patrus**: Introd. 37. — **coiravit** = *cūravit*.

114, 115. CI. 1475, 1495. Eryx in Sicily, famed for its Venus-worship. — **Venerus**: Introd. 37. — **Herucinae**: the *h* appears again in the Oscan form *Herukinai*. Cp. *Hinnad*, n. 84.

116. CI. 1238. Vicinity of Naples. — **Tromentina** *tribu*: see on n. 28. — **lumphieis**: 'to the nymphs.' On the same stone is Λεύκιος Ῥάντιος Λευκίου υἱὸς νύμφαις. *Lumphia* is a derivative from *lumpha*, which is itself used for a fountain-goddess. The oldest form was no doubt **lumpa* (cp. Oscan *diumpais*, dat. plur.), whence *limp-idus*. For the *ph* see Introd. 15, note. The spelling *lympha* later in vogue was a Grecian affectation. The word has, of course, no etymological connexion with νύμφη.

117. CI. 1166. Aletrium (Alatrium) of the Hernici. Presumably of the time of the Gracchi, or soon after. The *senatus* and *populus* are of course those of the town itself. — **infera** = *infra*: see on n. 82, l. 16. — **senatu**: a form of genitive otherwise unknown; perhaps merely a scribe's error. — **semitas**: 'footways,' at the side of the street. — **qua in arcem eitur**: 'along the ascent to the citadel.' — **eitur** = *itur*. So *īre*, *īmus*, etc., were originally *ei-re*, *ei-mus* (cp. εἶ-μι), and *eo*, *eunt* stand for **ei-o*, **ei-ont*. — **horologium**: probably a sun-dial. — **macelum** = *macellum*. — **basilicam calecandam** (*coiravit*): 'the plastering of the town-hall.' The brick-work was covered with stucco. The verb *calecare* or *calicare* (not elsewhere found except in Festus, who gives *calicata*) is from *calx*, 'lime.'

nearium, lacum ad *p*ortam. Aquam in opidum adqu*e* arduom pedes CCCXↃ fornicesq(ue) fecit; fistulas soledas fecit. Ob hasce res censorem fecere bis, senatus filio stipendia mereta ese iousit, populusque statuam donavit Censorino.

118. M. Saufeius M. f. Rutilus, C. Saufeius C. f. Flacus q(uaestores) culinam f(aciundam) d(e) s(enatus) s(ententia) c(oeravere). Eisdemq(ue) locum emerunt de L. Tondeio L. f. publicum. Est longu^m^ p(edes) CXↃVIIIS, latum af muro ad L. Tondei vorsu^m^ p(edes) XVI.

119. M. M*an*lius M. f., L. Turpilius L. f. duomvires de senatus sente*nt*ia aedem faciendam coeraverunt, eisdemque probavere.

Basilicae (the name derived from the *βασιλικὴ στοά* at Athens) were large roofed halls commonly not enclosed by walls, but with double rows of columns forming aisles (*porticus*) on either side: they were used for courts of justice and general business. — **lacum balinearium**: merely a tank in the public baths. *Balineum* (*βαλανεῖον*) is the older form for *balneum*: Greek *ă* weakened to *ĭ*, as in *māchĭna* (*μᾱχανά*), *trutĭna* (*τρυτάνη*), and other borrowed words. — **Aquam** = *aquae ductum*. — **arduom**: the hill of the *arx*. — **fornices**: to support the aqueduct. — **fistulas soledas**: 'strong water-pipes.' The form *solĕdus* (Introd. 12) is parallel to *timĕdus* in a fragment of Naevius, but these happen to be the only instances of what was once the form of nearly all the adjectives in *-idus*: for instance, **morbĕdus* from still older **morbŏ-dus*. — **stipendia . . . iousit**: i.e., exempted him from military service ('decreed that his campaigns be considered as already served'). — **Censorino**: 'to him under the title of Censorinus.'

118. CI. 1143. Praeneste. — **quaestores**: the local ones. — **culinam**: probably a public 'kitchen' for preparing sacrificial feasts, for we find *culinae* mentioned in more than one inscription along with temples, altars, and the like. — **eisdemque**: nom. plur., Introd. 47. — **longu^m^, latum**: neuter, without regard to *locum*. — **S** (numeral) = *et semissem*. The length is 148½ feet. — **af muro**: see on *af Capua*, n. 100. — **ad . . . vorsu^m^**: 'in the direction of L. Tondeius's (house).'

119. CI. 1149. Cora, on an old temple. — **duomvires**: Introd. 34. The chief municipal magistrates, *duomviri iure dicundo*; see on n. 121. Or possibly special *duomviri aedi dedicandae*.

120. A. Aigius C. f., L. Runtius C. f. Sisipus, M. Fufidius M. f. aid(iles) de s(enatus) s(ententia) *vias*, *cisternas*, clovacas faciun(das) coer(averunt), eidemque probarunt.

121. C. Quinctius C. f. Valg(us), patron(us) munic(ipi), M. Magi(us) Min. f. Surus, A. Patlacius Q. f., IIIIvir(i) d(e) s(enatus) s(ententia) portas, turreis, moiros, turreisque aequas qum moiro faciundum coiraverunt.

122. Privatum : precario adeitur.

123. Itus actusque est in hoce delubrum Feroniai. Ex hoce loco in via^{m} poplicam Campanam qua proxsimum est p(edes) ↀCCX.

Sepulchral Urns.

124. Alfenos Luci(os), a. d. XII c(al.) Noem(bres).

125. L. Anavis L. f., eidibus Sex(tilibus).

126. D. Aponi(us). Eidus inter(kalares). M. Lucre(tius).

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120. CI. 1178. Arpinum. — **Sisipus** = *Sisyphus*. — **clovacas** = *cloacas*. Root is *clu-;* old verb *clu-ĕre* = *purgare*.

121. CI. 1230. Aeclanum in Samnium. — **patronus munic.**: the community's legal representative and protector at Rome. — **Min.** = *Minati* (nomin. *Minatius*). — **Surus** = *Syrus*. — **IIIIviri** (sc. *i. d.*): Magius and Patlacius only. In the later municipal organization, the magistrates of each city were four in number; two superior, called *duoviri* (or *quattuorviri*) *iure dicundo*, and two inferior, *duoviri* (or *quattuorviri*) *aediles*. They were called *duoviri* or *quattuorviri* according as they were regarded as forming two boards of two (so generally in colonies) or one of four (so in *municipia*). — **moiros** = *mūros :* Introd. 8. — **faciundum** is a negligence.

122. CI. 1215. Capua. 'Private ground: admission only on sufferance.' So a "*viea precarea*," CI. 1464. — **123.** CI. 1291. Near Aquila. **Itus actusque**: 'right of way for walking and driving.' **Feroniai**: see on n. 48. — ↀ = 1000.

124–135. Selected from CI. 822–1005. Sepulchral *ollae*, found in the vineyard of San Cesareo at Rome: they date somewhere from 600/154 to 650/104. The names are those of slaves or other humble persons, mostly in the nominative, rarely (as 131) in the genitive. The form **Noem.** for

127. Q. Caecilis, a. d. VII idus No.

128. L. Kaili(us), a. d. III eidus Dekem.

129. Licnia, a. d. k(al.) Martias VIII.

130. Martura, a. d. IX k(al.) Noem.

131. Muniae, a. d. VII k(al.) Dece.

132. Protarcus, p(ridie) k(al.) F(eb.) ; pub(licus).

133. A. d. IV eid. Dec. M. Semproni L. f. Ter(etina) ossiva.

134. Turrania, a. d. VII eid. interk(alares).

135. Portunalia. Marta Plotica.

Epitaphs

Dating from about the Gracchan period on.

136. Protogenes Clouli suavei heicei situst mimus, plouruma quei fecit populo soveis gaudia nuges.

Novem(bres) occurs repeatedly. On **Anavis, Caecilis** see Introd. 32. On the **eidus interkalares** see note on *Terminalia*, n. 109. **Licnia** = *Licinia*. **Protarcus** (132) (i.e. *-chus*) is a state-slave (*publicus servos*). **Ter(etina)** (133), sc. *tribu*. (Not *Terentina*.) The form **ossiva** (= *ossa*) is strange. The stem *ossu-*, nomin. plur. *ossua*, is well known (see n. 140), and *ossiva* corresponds so exactly to ὀστέα (= ὀστέϝα) that one may dimly suspect a stem **ossivo-* = ὀστεϝο-. The **Portunalia** (135) or feast of the harbor-god *Portunus* was xvi kal. Sept.

136. CI. 1297. Preturo, near ancient Amiternum. The epitaph should have formed two hexameters, but was spoiled in cutting. Mommsen reconstructs them thus: —

Protogenes Clouli suavis situs est heic mimus,
plouruma quei fecit populo sueis gaudia nuges:

sueis being read as one syllable. — **Clouli**: the name of the master. *Cloulius* = *Cloelius* or *Cluilius*. — **suavei** and **heicei** seem merely blunders for *suavis* and *heice*. — **plouruma**: but *ploirume*, n. 75. Corssen refers both forms to a prototype *plo-ios-umo-s*. — **soveis**: Introd. 46. This form again n. 147, and CI. 198; *sovom*, CI. 588; *sovo*, n. 138. — **nugēs**: ablat. plur. for *nugeis;* Introd. 9. Cp. on n. 104, l. 39 (*Mentovinēs*).

137. Hoc ést factúm monuméntum Maárco Caícilio.
Hospés, gratum ést quom apúd meas réstitístei seédes;
bene rém gerás et váleas, dórmiás sine qúra.

138. Hospés, quod deico paúllum est, asta ac péllige.
Heic ést sepulcrum hau púlcrum pulcrai féminae:
nomén parentes nóminarunt Claúdiam;
suóm mareitum córde dilexít sovo:
gnatós duos creávit: horunc álterum
in térra linquit, álium sub terrá locat.
Sermóne lepido tum aútem incessu cómmodo,
domúm servavit, lánam fecit: dixi, abei.

139. P. Larcius P. l. Neicia. Saufeia Ↄ. l. Thalea. L. Larcius P. f. Rufus. P. Larcius P. f. Brocchus. Larcia P. Ↄ. l. Horaea.

Boneís probata, inveísa sum a nullá proba:
fui párens domineis sénibus, huic autem ópsequens.

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137. Cl. 1006. Found in the Via Appia near Rome. Date apparently about 654/100. "Affectatae antiquitatis sed scite factum epigramma" (Mommsen). Saturnian verse. — **meas** is one syllable.

138. Cl. 1007. Rome; now lost. Iambic trimeters. — **pellige** = *perlege*. — **hau** for *haud* is frequent in the mss. of Plautus and Terence, and is now freely replaced in the text (as Trin. 233). — **pulcrai**: *pulcer* (*polcer*, Cl. 552) is the usual spelling down to Cicero's time. Still it was one of the very few words in which a secondary aspiration fixed itself at an early time: *pulcher* occurs on a coin of about 650/104. — **mareitum**: *ei* merely for *i*, not justified. *Maritus* is participle from a supposed verb **marire*. — **sovo**: see on 136. — **horunc** (*horum-ce*) is Plautinian (Cist. 53). — **alium**: for *alterum*. — **incessu commodo**: 'of gentle mien' or 'bearing.' — **lanam fecit**: Ov. Met. vi. 30, *tibi fama petatur inter mortales faciendae maxima lanae*: cp. *lani-ficus*.

139. Cl. 1194. A stone, now lost, found near Minturnae. Above are five names of *libertini* — father, mother, two sons, and the wife of one of the sons. To the last one the verses refer. She is a freedwoman of her husband's parents. — **Neicia** = Νικίας. — **Ↄ. l.** = *mulieris liberta*, freedwoman of the matron of the Saufeian family. So again **P. Ↄ. l.**, 'freedwoman of

Ita leíbertate illeí me, hic me decoraát stola.
A púpula annos veíginti optinuí domum
omném ; supremus fécit iudiciúm dies.
Mors ánimam eripuit, nón veitae ornatum ápstulit.
L. Eprius Chilo viat(or) tr(ibuni) pl(ebei). *Ep*ria cpi . . .

140. Primae Pompeiae ossua heic.
Fortuna spóndet multa múltis, praestat némini.
Vive ín dies et hóras, nam proprium ést nihil.
Salvius et Eros dant.

141. . . Aurelius L. l. Hermia, lanius de colle Viminale.
Haec quae me faato praecessit, corpore casto
coniunxs, una meo praedita amans animo,
fido fida viro veixsit studio parili, qum
nulla in a*m*aritie cessit ab officio.

Publius and his wife.' Ↄ stood originally for *Gaia*, a sort of generic name for a married woman; cp. the wedding-formula '*ubi tu Gaius ego Gaia*.' — **inveisa**: *ei* is merely a sign for *i*. — **fui**: pronounced as one syllable. — **domineis senibus**: 'my old master and mistress.' — **huic**: her husband. — **decoraat**: an interesting spelling, showing the traditional length of *-āt* in the present: Introd. 52. — **stola**: the dress of a Roman *matrona*. He married her. — **a pupula**: 'from girlhood.' — **fecit iudicium**: 'pronounced judgment' on my life. — The verses are iambic trimeters.

140. CI. 1010. Rome. — **Primae**: the eldest daughter: cp. n. 97. — **ossua**: the nominative *ossu* is attested by a grammarian. The stem of *os*, gen. *ossi-s*, is *ossi-*. Both stems stand for **osti-*, **ostu-*. Cp. note on *ossiva*, n. 133. — **Fortuna**: read *Fors*, which the metre (iamb. trimeter) requires. The distich — very likely stock verses used commonly — was muddled by an ignorant stone-cutter. We saw a worse instance in n. 136. — **proprium**: 'lasting.' The givers are slaves or freedmen.

141. CI. 1011. Rome: the stone is now lost; it had figures of man and wife clasping hands. Only the wife is dead, but both figures are supposed to speak the verses under their respective names. They are freed slaves of the same master: **Hermia** (Ἑρμίας) and **Philematium** are their Greek slave-names. The verses (elegiacs) are somewhat uncouth in expression. — **meo praedita . . animo**: 'mistress of my heart.' — **veixsit**: present

Aurelia L. l. Philematio^{m}.

Viva Philematium sum Aurelia nominitata,
casta, pudens, volgei nescia, feida viro.
Vir conleibertus fuit eidem quo careo, eheu;
ree fuit ee vero plus superaque parens.
Septem me naatam annorum gremio ipse recepit;
quadraginta annos nata necis potior.
Ille meo officio adsiduo florebat ad omnis
. . . . . .

142. . . *Co*rneli M. f. Pup(inia) Mamullai.
M. Corneli M. f. f. Mamullai.
Eppuleiai A. f. uxoris.

143. P. Critonius P. f. Polio. Mater mea mihe monumentum coeravit, quae me desiderat vehementer, me heice situm immature. Vale, salve.

144. Ultuma suorum Cupiennia L. f. Tertulla fuueit, quius heic relliquiae suprema manent.

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veivo (n. 148). — **amaritie**: conjecture (the copy has *avarities*): 'in no bitter misfortune did she shrink from duty.' — **feida**: cp. *difeidens*, n. 111. — **ree . . . parens**: 'indeed he was in truth over and above a father to me.' — **supera** = *supra*. — **annorum** along with **naatam** is very strange; it seems to be a confusion of two expressions. — **quadraginta**: the stone had XXXX. — **necis potior**: 'fall into death's hands': so *potitus hostium* (Plaut.), *mortis letique potitum* (Lucr. iv. 766). The active *potivit servitutis*, 'reduced to slavery,' Plaut. Am. 175 — The end is lacking.

142. CI. 1046. Tusculum. The three names are in the genitive, with *sepulcrum*, as it were, understood. On this usage see Mommsen, CI. I., p. 210. — **Pupinia**: sc. *tribu*. — **M. f. f.** seems meaningless, and the second *f.* is probably a mistake.

143. CI. 1049. Rome. — **Polio** = *Pollio*. — **mihē**: see on *tibē*, n. 76, v. 4.

144. CI. 1051. Rome. — **ultuma suorum**: 'last survivor of her family.' — **fuueit** = *fūit;* see on n. 74 (*b*), v. 3 and 4. (Or possibly *fuveit?*) — **suprema manent**: 'await the last honors.'

145. Pesceniaes Ↄ. l. Laudicaes ossa heic sita sunt.

146. Q. Tiburti Q. l. Menolavi cultrari oss*a* heic sita sunt.

147. . . . . hoc monimentu^{m} *sibei et le*ibreis soveis *extruxit* et leibravit *et po*livit.

148. M. Drusi M. l. Philodami : sibei et sueis ; veivont.

Song of the Arval Brothers.

149. Enós Lasés iuváte. (*thrice*).
Neve lúe^{m} rúe^{m} Mármar síns incúrrere in pléores. (*thrice.*)
Satúr fu, fére Más : limén salí sta bérber. (*thrice.*)
Semúnis áltérnei ádvocápit cónctos. (*thrice.*)

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145. CI. 1212. Capua. For the provincial genitive in *-aes* see on *Prosepnais*, n. 42. Other examples are *Aquilliaes*, CI. 1025, *Dianaes*, CI. 1242. Later such genitives in *-aes* and *-ēs* occur with increasing frequency: they are almost entirely confined to proper names from the lower classes. — Ↄ. l. was explained n. 139. — **Laudica** is *Laodica*, Λαοδίκη.

146. CI. 1213. Capua. A *cultrarius* is an attendant of the priests, who slays the victims at sacrifices. — **Menolavi** = *Menelai*. The *v* is in place, as the oldest Greek form was Μενέλαος. The spelling *Menolaus* occurs again CI. 1321; cp. *Philotaerus* = Φιλέταιρος, CI. 1042.

147. CI. 1258. Tegianum in Lucania. — **leibreis** = *liberis*, an unusual syncopation. — **soveis**: see on n. 136. — **leibravit**: 'balanced' in its place.

148. CI. 1271. Larinum. The genitive as n. 142. — **Drusi**: we have here a nomen gentilicium *Drusius*. — **veivont**: the monument was set up during the man's life. The like often on tombstones. So in CI. 1418, '*qui volet sibei vivous monumentum faciet.*'

149. CI. 28. The *Fratres Arvales* were a *sodalitas* or religious brotherhood, of like sort with the *Salii* and *Luperci*, existing for the performance of specific acts of worship at a particular festival, at other times having no priestly functions. They were a self-perpetuating body of twelve, charged with conducting the festival of the so-called *Dea Dia* in May. This deity (identified by Preller with *Acca Larentia*) was a goddess of agriculture and growing corn. The above ancient prayer is on one of many tablets containing the records of the brotherhood under the emperors. They were

Enós Marmór iuváto. (*thrice.*)
Triúmpe, triúmpe, triúmpe, triúmpé, triúmpe.

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found on the site of the grove and temple of the Dea Dia, five miles from Rome on the Via Campana; the present tablet in 1778. The prayer was sung by the brotherhood in the open air, accompanied by a solemn dance (*tripodatio*). It is in itself by far the most venerable specimen of Latin which we possess, but as our copy dates from 218 A.D., and as the *carmen*, handed down from an unknown antiquity by oral tradition, had doubtless become unintelligible to those who used it, it is impossible to say what alterations it had undergone, and we cannot by any means — interesting as it is — look on it as an uncorrupted monument of the early language. "Omnino," says Mommsen, "carmen hoc ex ipsis collegii libellis a quadratario exceptum non multo meliore condicione accepimus quam quae huius generis apud auctores leguntur." Hence I have reserved it for this place.— Each verse, except the last, is thrice repeated on the stone, with a few minor variations, of which *sers* (for *sins*) once, *pleoris* (for *pleores*) twice, and *furere* (for *fu fere*) once, may be mentioned. The metre is a rude Saturnian, with two isolated half-verses (cp. n. 98).

Translation: 'Help us Lares: and let not, O Mars, plague and destruction come upon the multitude. Be satiate, fierce Mars, ... Call ye, in turns, on all the Semones. Help us, Mars. Huzza!'

V. 1. **enos** = *nos.* The *e-* probably as in *ἐ-μέ*, *ἐμοῦ*; a prothetic strengthening element. — **Lases** = *Lares.* Similar cases of *s* preserved between two vowels, for later *r*, are *asa*, *fesiae*, *Spusius*, *Vetusius*, *maiosibus*, *pignosa*, *arbosem;* mostly isolated words preserved by grammarians. Introd. 16. See also n. 157, end of note. The Lares were important gods to the Arvales, for the brotherhood traced its origin to Acca Larentia and her sons. — **iuvate**: Ritschl notes that **iovate* was probably the original form. See on *flovius*, n. 104, l. 7. — V. 2. **neve**: the metre requires rather *neu.* — **luem, ruem**: accusatives of *lues*, *rues.* The latter word (= *ruina*) is known to us only through an obscure gloss. Both may well have had originally long *u.* — **Marmar**, and below **Marmor**, mean *Mars.* Apparently a reduplicated form. — **sins** = *sinas* or *sines.* — **pleores** = *plures;* it stands for **ple-iōs-es* = *πλε-ίον-ες*. It is to be pronounced as two syllables. For the scansion *in pleóres* see on n. 74 (*b.*) v. 3. — V. 3. **fu**: imperative, 'be'; from the same root as *fu-i.* — **fĕre**: for the short thesis cp. note on 76, v. 4. — The words **limen . . . berber** have never yet been satisfactorily explained. Provisionally one might interpret with Preller: 'enter thy temple (cross the threshhold) and stay thy scourge:' in that case *berber* would be for *verber*, and *sta* might be transitive as in *praesta te virum.* But this is after all unlikely. — V. 4. **semunis** = *sēmōnēs.* Corssen points out that *semunis* can be no old form, but only a corruption of later imperial

Columna Rostrata.

150. . . . *Secest*ano*sque* . . . . . *op-*
*sidione*d exemet, lecione*sque Cartacinienses omnes*
*ma*ximosque macistr*a*tos l*uci palam post dies*

---

times. Just who the *semones* are it is hard to say. Most, connecting the word with *se-r-o*, *sē-men*, think them gods of husbandry, standing in a special relation to the Arvals. Mommsen takes them as 'divinities' in general, explaining the name as *se homines* (old form *homōnes*), 'apart from men.' — **advocapit** = *advocabitis:* future in imperative sense. Or perhaps rather *advocabite*, an imperative formation corresponding to the tenses in *-bam* and *-bo*. The *p* for *b* is unexampled and probably due to a mere blunder. In this line the brothers seem to address each other. — **cōnctos** = *cūnctos*. Both contracted from **co-iunctos*. — **V. 6. Triumpe**: Introd. 15.

150. CI. 195. On a stone of Parian marble found in the forum in 1566, now in the Palazzo dei Conservatori on the Capitol. C. Duilius defeated the Carthaginians in the famous sea-fight off Mylae, 494/260, and the *columna rostrata* in the forum was set up in commemoration of the event. The present inscription, which seems to be the one mentioned by Quintilian (i. 7, 12) as containing final *d*'s, is beyond all doubt of a later date, cut in the time of the emperors. The only possible question is whether it be a copy, more or less modernized, of an older one, or was composed outright, in imitation of the old-fashioned language, by some antiquarian under Claudius. The latter is the view of Mommsen and Ritschl, and to it I heartily accede. What influences me is not so much the hyper-archaisms (*macistratos*, *exfociont*), nor the painful persistence of the ablative *-d* in forms where it is otherwise unknown, as rather the length of the document, its circumstantial, almost statistical, style, and its prose form. What sort of an inscription Duilius set up, if any, may be gathered from the Scipio-epitaphs and from the triumphal inscriptions in Saturnian form long after this time (see n. 217 fig.): it would have been brief, simple, and in Saturnians. We have then in this monument merely the work of a learned trifler: if the column had originally any inscription at all, it was one very different from this. — **Line 1. Secestanos**: read *Segestanos*. *C* appears throughout for *g* (*leciones*, *macistratos*, *exfociont*, *pucnandod*, *ceset*, *Cartaciniensis*), although the sign *G* was in use in Duilius's time. — **exemet**: so *cepet*, *ornavet*, l. 5, 7, Introd. 57 (2). He raised the siege of Segesta. — **L. 2. maximos macistratos** is of course nominative, as *primos*, l. 7. The whole Carth. army and their 'chief commander' retreat in broad daylight. Both **macistratos** and **exfociont** (= *ecfugiunt*) are impossible

*n*ovem castreis exfociont. Macel*amque opidom vi*
*p*ucnandod cepet. Enque eodem mac*istratud bene*
*r*em navebos marid consol primos c*eset copiasque*
*c*lasesque · navales primos ornavet pa*ravetque.*
Cumque eis navebos claseis Poenicas omn*is item ma-*
*x*umas copias Cartaciniensis, praesente*d Hanibaled*
dictatored olo*r*om, in altod marid pucn*andod vicet.*
*V*ique nave*is cepe*t cum socieis septere*smom unam, quin-*
*queresm*osque triresmosque naveis *XXX, merset XIII.*
*Aur*om captom numei ↀↀↀDCC.
*Arcen*tom captom, praeda, numei ⓓ [ⓓ]
Omne captom aes ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ [ⓓ] . . . . .
. . ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ ⓓ [ⓓ] . . . . *Pri-*
*mos qu*oque navaled praedad poplom *donavet, pri-*
mosque Cartacini*ens*is *ince*nuos d*uxit in*
triumpod . . . eis . . . . capt . . . . . .

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forms, as one is an *u*-stem and the other from root *fug-* = *φυγ-*. Evidently the author of the inscription fancied that *any* short *u* might have been *ŏ* in the early language. — **L. 4. Macelam**: *Macella* in Sicily. — **L. 5, 6. En** = *in*. — **navebos**: cp. *Tempestatebus*, n. 75 (*b*), l. 6. The ending *-bos* is elsewhere unknown. In line 8, below, the *o* of *-bos* is cut over an *u*: evidently the graver first cut *navebus*, and then tried to correct it. — **ceset** = *gessit*. — **L. 8. Poenicas** = *Pūnicas*. So *bello Poenicio*, Lex agr., Cl. 200, l. 75. — **L. 10. dictatored**: *-ēd* in ablative is unknown except in this inscription: Introd. 38, note. Cp. *navaled*, l. 17, which, however, ought to be *navalid*. — **olorom** = *ollorum*. Introd. 49. — **L. 12. triresmos**: the form is good, and rests, no doubt, on ancient tradition: **resmo-s* is certainly the old form for *rēmus* (for **ret-mo-s*, cp. *ἐ-ρετ-μό-ν*), and *trirēmi-s*, like many other *i*-stems, was once an *o*-stem. The numbers in this line come from Oros. iv. 7. — **L. 13-15.** ↀ = CIↃ or M = 1000. — ⓓ = CCCIↃↃ = *centum milia*. — **numei**: 'coins'; of what value is not said. — **arcentom captom, praeda**: according to Mommsen, two sums of silver; 'the silver captured and that derived from sale of booty': together 200,000 pieces, and perhaps more. — **captom aes**: the sum total of the above gold and silver, reduced to Roman *sestertii*: the amount standing on the stone is *vicies ter centena milia sestertium*, and much is broken off. The bracketed signs are partly gone. — **L. 16. poplom**: see on n. 81.

Lex Acilia repetundarum.

151. CI. 198. Date 631/123 or 632/122. I have omitted this document, as well as the Lex agraria, on account of its fragmentary condition and the amount of explanation needful to make the remnants intelligible. It is on eleven fragments of a bronze plate, along the entire length of which the lines ran. Accordingly we have only detached parts of sentences. Many forms of this inscription have been already noticed by way of illustration, but I will mention here a few other noteworthy ones.—**attigat** (l. 10): *attīgas* in Plautus. One of the few remains of the Latin *aorist: attīgam* is to *attingam* as λίπω to λείπω, or λάβω to λαμβάνω. Other aoristic forms are *attŭlat, evĕnat, parentes* (οἱ τεκόντες).—**detŏlerit** (l. 21, 76) = *detŭlerit.*—**oppedeis** (l. 31) = *oppidis.*—**adessint** (l. 63) = *adsint* or *adfuerint;* a formation like *faxint:* Introd. 59.—**sed fraude (frude) sua** (l. 64, 69) = *sine fraude sua:* see on n. 106, l. 4.—**possitur** (*ubei de plano recte legi possitur*, l. 66: the praetor is to post something 'where it can be properly read from the ground'), passive: so *potestur, queatur* (Lucr.), *quitur* (Caecil.), *poteratur*, etc., are known. Always with the passive infinitive.—**eiei**, dat. sing., occurs seven times.

Lex agraria.

152. CI. 200. Date 643/111. On the back of the same eleven fragments, and in the same incoherent state. Besides forms elsewhere spoken of, I note the following.—**cavitum** = *cautum* (l. 6).—**oqupatum** = *occupatum* (l. 25).—**domneis** (l. 27) = *dominis.*—**sed fraude sua**: as in n. 151.—**moinicipieis** (l. 31) = *municipiis.*—**oppodum Char***tago* (l. 81) = *oppidum Carthago* (but **Cartago**, l. 89).—**mercassitur** (l. 71) = *mercatus erit.* Passive from *mercassit:* Introd. 59. So *iussitur* (Cato R. R. 14), *faxitur* in an old formula, n. 163, end.

Part II.

OLDEST REMAINS FROM LITERARY SOURCES.

Old Prayers from Cato de re rustica.

153. Mars pater te precor,
quaesoque uti sies volens propitius
mihi, domo, familiaeque nostrae.
Quoius rei ergo
agrum, terram, fundumque meum
suovitaurilia circumagi iussi;
uti tu morbos visos invisosque,
viduertatem vastitudinemque
calamitates intemperiasque
prohibessis, defendas, averruncesque:

Respecting all the selections given in Part II., it must be said that little reliance can be placed on the antiquity of the text in detail. All of them have been more or less modernized in their grammatical forms in process of transmission to us, and in many cases it is clear that still more serious vicissitudes have befallen them.

153. Cato R. R. 141. Prayer to be used at the *lustratio agri* or *ambarvalia*, in the spring of the year. This is probably the best existing sample of a Roman *carmen* of the olden time. For its rhythmical form, see Introd. 69. It readily groups itself into verses and half-verses (of course no division of the sort is made in the mss.), and may be recited with four *ictus* in each half-verse (the last two ictus commonly being contiguous). Thus for example: —

quaésóque úti siés vólens própitiús
mihi dómó fámiliaéque nóstraé.

I have not thought it best to attempt an exact notation of each verse, partly because some may be read in more than one way, and partly because of

uti fruges, frumenta, vineta virgultaque
grandire beneque evenire siris:
pastores pecuaque salva servassis,
duisque bonam salutem valetudinemque
mihi, domo, familiaeque nostrae.
Harumce rerum ergo,
fundi, terrae, agrique mei
lustrandi, lustrique faciendi ergo,
sic uti dixi,
Mars pater, macte hisce lactentibus
suovitaurilibus immolandis esto.
Eiusdem rei ergo,
Mars pater, macte hisce lactentibus
suovitaurilibus *immolandis* esto.

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the general uncertainty of the text. The reader will not fail to notice the frequent alliteration, no unimportant element of the verse. — **V. 1. Mars**: originally god of husbandry and rural life rather than of war. — **V. 6. circumagi iussi**: the *suovitaurilia* are led in solemn procession thrice round the farm; then follows this prayer, after which the sacrifice takes place. Cato gives the formula for directing the head-servant to lead them around, beginning, '*Cum divis volentibus, quodque bene eveniat, mando tibi, Mani, uti illace suovitaurilia fundum agrum terramque meam*,' etc. — **V. 8. viduertatem**: 'barrenness,' occurs in Festus, p. 369; **vastitudinem** = *vastitatem*. — **V. 9, 10. calamitates**: in the earlier sense, 'damage to crops' by blight or hail. — **prohibessis**: Introd. 59. So **servassis**, v. 13. — **averrunces**: *averruncare* comes from *averruncus*, 'defender,' *ἀποτρόπαιος*; a title belonging especially to Mars. — **V. 11. uti fruges**: the mss. *utique tu fruges*. — **V. 12. grandire**: here intransitive, elsewhere always transitive. — **bene**: probably should be *duene*, and **bonam**, v. 14, *duonam*. — **siris** = *siveris*. — **V. 14. duis**: Introd. 60. — **V. 20. macte . . . . esto**: 'be thou magnified (or glorified) by the offering of these sacrificial sucklings.' In this common phrase *macte esto, macte* is without much doubt an adverb: it is used even in the plural, *macte virtute este* (Liv. vii. 36, as now read). *Macte esse* is said like *bene esse, pulcre esse* (Plautus). It cannot be rationally explained as a vocative. — **V. 21. suovitaurilibus** comes in the mss. before *lactentibus*, and so again below. **Mars pater**, in v. 20, the mss. omit, and in v. 23 they put it before *eiusdem rei ergo*.

154. (*a.*) Iupiter dapalis, quod tibi fieri
oportet in domo familia*que* mea
culignam vini dapi, eius rei ergo
macte illace dape pollucenda esto.

(*b.*) Iupiter dapalis,
macte istace dape pollucenda esto,
macte vino inferio esto.

155. (*a.*) Iane pater, te hac strue commovenda
bonas preces precor, *quaesoque* uti sies
volens propitius mihi, domo,
liberisque meis, familiaeque meae.

(*b.*) Iupiter, te hoc fercto obmovendo
bonas preces precor, *quaesoque* uti sies
volens propitius mihi, domo,
liberisque meis, familiaeque meae;
mactus hoc fercto.

(*c.*) Iane pater, uti te strue commovenda
bonas preces bene precatus sum,
eiusdem rei ergo
macte vino inferio esto.

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154. Ibid. 132. A *daps*, or sacrificial feast, is offered to *Iupiter dapalis* before sowing grain. After the first prayer the hands are washed, and wine is presented with the second. The ritual is not plain; but perhaps both prayers are merely prefatory to the *daps* proper, which consists of '*assaria pecuina*' and an *urna* (not a *culigna*) of wine. — **fieri** in its sacrificial sense, 'be offered.' For *facere* used of a libation, see Liv. x. 42, 7. It takes either accusative or ablative; *facere porcum* or *porco;* see n. 156, v. 2. — The borrowed word **culignam** = κυλίχνην is surprising here, and has probably replaced some older term. — **macte illace**: the mss. *macte hac illace.*

155. Ibid. 134. Sacrifice of a *porca praecidanea* to Ceres, before the harvest. The ceremony is to be begun by offerings of food and wine to

(*d.*) Iupiter macte fercto esto;
macte vino inferio esto.

156. Si deus, si dea es, quoium illud sacrum est,
uti tibi ius siet porco [piaculo] facere
illiusce sacri coercendi ergo.
Harumce rerum ergo,
sive ego sive quis iussu meo fecerit,
uti id recte factum siet.
Eius rei ergo
te hoc porco [piaculo] immolando
bonas preces precor, *quaesoque* uti sies
volens propitius mihi, domo,
familiaeque meae liberisque meis.
Harumce rerum ergo
macte hoc porco [piaculo] immolando esto.

Janus and Jupiter, with these prayers. Both **strues** and **ferctum** are sacrificial cakes: the former is described as consisting of several long cakes joined side by side, like the fingers of the hand. Observe the exactness of the sacrificial language: *struem commovere*, but *ferctum obmovere*. — **quaesoque** I have added from n. 153, v. 2. — **domo** in both *a* and *b* the mss. place after *liberisque meis;* but see n. 156, v. 10, and n. 153, v. 3, 15.

156. Ibid. 139. Formula for the clearing of a wood ('*lucum conlucare Romano more sic oportet*'). A swine is offered as a *piaculum*, to appease the forest-divinities whose domain is to be encroached on. — **Si deus, si dea:** such expressions were used at times to avoid the possible blunder of calling on the wrong deity — a scrupulousness characteristic of Roman worship. So when an earthquake occurred (Gell. ii. 28), a propitiatory sacrifice was offered *si deo si deae*, for fear that there might be some uncertainty as to what particular god was thus showing his displeasure. *Si . . . si = sive . . . sive.* Cp. Plaut. Capt. 110. — **quoium** (= *cuium*): the possessive adjective *quoius*, frequent in Plaut. and Ter. (*quoia vox, quoium puerum*). — **sacrum:** 'sacred domain.' — **piaculo** (v. 2, 8, 13) I suspect, *metri causa*. Cato does not seem to have fully felt the rhythm of the *carmina* which he reproduces. — **coercendi** (v. 3): 'restraining' or 'limiting' the sacred wood, is a mild expression for cutting it down. — **fecerit** (v. 5) refers of course to the felling of the trees.

Fragments of the Carmina Saliaria.

157. (*a.*) Cumé tonás, Leucésie, praé tét tremónti,
quóm tibeí cúnei déxtumúm tonáront.

(*b.*) Dívom † émpta cánte divóm deo súpplicáte.

(*c.*) . . . . . omina vero
adpatula coemise Iani cusianes :
duonus cerus es, duonus Ianus.

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157. The Salii were a religious *sodalitas* (for this term see on n. 149) who were concerned with the worship of Mars. On various festival-days in the month of March they performed solemn processions and dances, bearing the twelve sacred *ancilia*. The famous ancient songs which they chanted on these occasions were called *axamenta*. This name is from *axare*, 'repeat' (found in Festus), a frequentative from *ā-io* = **ag-io* (root *ag-*, 'say,' as in *ad-ag-ium*), as *taxare* from *tango* (root *tag-*). *Axare* presupposes a participle **axus;* as indeed all 'frequentatives' and 'intensives' are secondary verbs derived from participles. These Salian hymns were, according to Quintilian (i. 6, 40), hardly understood by the priests who sang them. They were addressed not to Mars only, but to other gods as well, and different portions were accordingly called *versus Ianui*, *Iovii*, *Iunonii*, etc. Only two or three connected bits of these hymns have reached us, in an exceedingly corrupt state. Various scholars have tried to restore them, Bergk and Corssen with the most success, but their interpretations differ greatly. I have given above all that seems to have the smallest probability critically.

Fragment a is the most certain. Bergk reconstructed it from *cume ponas Leucesiae praextexere monti quotibet cunei de his cum tonarem* (Terentius Scaurus, p. 2261, P.); but Festus gives *prae tet tremonti*. The lines read as Saturnians of a rather rude sort (cp. the *carmen Arvale*, n. 149), and there can be no doubt that such was the metrical form of all the hymns. — **cume** = *cum;* expressly attested by Scaurus; Festus has also *tame* = *tam*. — **Leucesie** = *Lūcetie*, 'light-god,' a surname of Jupiter. The *s* has arisen from the *t* by a softening not uncommon in Latin: the diphthong *eu*, on the other hand, is an antiquity: Introd. 10, note: cp. λευκός. — **tet** for *ted* (Introd. 44). Perhaps an older form, though the *t* may have come merely from assimilation to the following. — **tremonti** = *tremunt;* the only instance of this full ending of the 3d person plural: cp. Doric λέγοντι = λέγουσι. — **cunei**: 'bolts' of lightning. — **dextumum**: adverbial, 'on the right'; a superlative formation, whereas *dexter* is comparative. The right, in Roman

Formulae of Calatio.

158. (*a.*) Diés te quínque cálo Iúnó Covélla.

(*b.*) Septém diés te cálo Iúnó Covélla.

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augural science, was the unlucky side. — **tonaront**: the perfect *tonavi* is not elsewhere found.

Fragment b: Varro, Ling. Lat. vii. 27 (where *supplicante*). — **cante** is *canite*, but what **empta** means no one knows: Bergk conjectures *templa*. — **divom deo**: Janus is meant.

Fragment c is in Varro, L. L. vii. 26, where the following stands: *cozeulodoizeso omnia vero adpatula coemisse iamcusianes duo misceruses dun ianusve vet pos melios eumrecum*. I give the least desperate part of this, nearly with Corssen (following also a suggestion of Wordsworth's). — **adpatula** = *patula*. — **coemīse** = *coemēre* in the sense of *conceperunt* (*emo* meant originally 'take'); with *ī* (as in *emī*, *emīsti*, etc.) and *s* for later *ē* and *r*. — **cusianes** = *curiones*, officers of the Salii. There was a *curia* or assembly-hall of the brotherhood on the Palatine. — **cerus**: see on n. 22. — The whole would mean: 'the *curiones* of Janus have in truth perceived clear omens: thou art the good creator, good Janus.' But all this is extremely uncertain, and so is the metrical grouping which I have given, merely as a rough indication of the way in which the verses may have run.

We know from Festus and Varro a good many single words from the Salian hymns, of which I select the following: **foedesum** = *foederum*; **plusima** = *plurima*; **meliosem** = *meliorem*; **asenam** = *arenam*; **pilumnoe poploe** = 'the spear-armed host' (gen. sing.? *pilumno-s*, for **pīlōmeno-s*, is a participle like *δηλοίμενο-ς*, and points to an old verb **pilo-ĕre* = *pilo armare*. Another remnant of the Latin *o*-conjugation is *aegrōtus*, from **aegro-ĕre*, 'make ill'); **promenervat** = *promŏnet*, from an adjective *menervo-s*, 'thoughtful,' whence *Menerva*, cp. n. 36; **sonivio** = *sonanti*; **cerus manus** = *creator bonus*; **privicloes** (i.e., *priviculis*) = *singulis*, with an interesting ancient form of the dative plural.

158. Varro, Ling. Lat. vi. 27. Formulae used by the Pontifex minor in announcing to the assembled people (*comitia calata*), at the appearance of each new moon (*kalendae*), whether the nones on that month would fall on the fifth or seventh day. **Iuno Covella** is the 'hollow' or crescent moon: *Covella* is a diminutive of **cova* = *cava*. 'I proclaim thee for five days,' seems to mean that the hollow or 'new' moon will last during that time; that is, up to the 'first quarter' or nones. The verses are Saturnians, but in **călo** we have a short thesis. Besides the old verb *calāre*, there must have been a *calĕre* (or *calĕre*), whence *calendae*.

Form of a Devotio.

159. Iane, Iuppiter, Mars pater, Quirine, Bellona, Lares, divi Novensiles, di Indigetes, divi quorum est potestas nostrorum hostiumque, dique Manes, vos precor, veneror, veniam peto feroque, uti populo Romano Quiritium vim victoriamque prosperetis, hostesque populi Romani Quiritium terrore formidine morteque adficiatis. Sicut verbis nuncupavi, ita pro re publica *populi Romani* Quiritium, exercitu legionibus auxiliis populi Romani Quiritium, legiones auxiliaque hostium mecum deis manibus Tellurique devoveo.

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159. The formula given by Livy (viii. 9) as used by the elder Decius in devoting himself to death at the battle of Vesuvius, 414/340. He repeats the words after the pontifex, then mounts his horse and charges into the midst of the foe, where he finds his death. The formula is no special one composed for the occasion, but a traditional one handed down from antiquity. For, from the details which Livy gives, it is clear that there was an elaborate ceremonial, with provisions for this and that occurrence; which is proof, as Preller (Röm. Myth., p. 468) remarks, that "in the Italy of earlier times such *devotions*, in the bloody struggles among so many contentious nations, were nothing uncommon." The idea of the *devotio* is that the commander or other warrior, by voluntarily sacrificing himself to the gods of the lower world, averts their fury from his own countrymen and turns it against the enemy's hosts. A supernatural panic was believed to seize on the foe. The above formula is certainly a *carmen*, and the indications of rhythm and alliteration show that metrically it stood on a line with the prayers in Cato (n. 153, flg.). The following reconstruction I give merely *exempli causa*:—

Iane, Iuppiter, Mars pater, Quirine,
Duellona, Lares,
divi Novensides, divi Indigetes,
di quorum est potestas nostrorum hostiumque,
divique Manes, vos precor, veneror,
veniamque peto, uti populo Romano
vim victoriam prosperetis,
perduelles hostesque populi Romani
terrore formidine morteque adfexitis.
Sicuti verbis *nunc* nuncupavi,
ita pro re publica *populi Romani*
legionibus auxiliis populi Romani,
legiones auxilia hostium mecum
divis Manibus, Telluri devoveo.

Formulae of the Fetiales.

For demanding restitution.

160. (*a.*) Audi Iuppiter, audite fines
populi *Albani*, audiat Fas.
Sum publicus nuntius populi Romani;
iuste pieque legatus venio,
verbisque meis fides siet.
. . . . . .
Si iniuste impieque illos homines
illasque res dedier mihi exposco,
tum patriae compotem me numquam siris esse.

Iane: invoked, as commonly, first of a series of deities. — **Iuppiter, Mars, Quirine**: the three gods who had *flamines maiores*. — **divi Novensiles**: usually explained as the 'newly settled' or 'foreign' gods, in opposition to the **Indigetes** (*indu-* and root *ge-*) or 'home-born,' 'national' gods. In inscriptions we have *nove(n)sides* (n. 57), and, according to Mommsen, this is the only genuine form. — **nostrorum** = *nostrum*: see Allen and Greenough's Gram., 99 *b*, and cp. Plaut. Most., 270. — **fero**: 'receive'? But the word probably does not belong in the text.

160. The Fetiales were a public religious *collegium* who were the guardians of international relations on their religious side: it was their duty to attend to the proper formalities in declaring war, making peace, and the like, so that all might be done *rite*, and the approval of the gods secured. The collegium kept alive the knowledge of the proper ceremonial for all cases; this was the *ius fetialium*. The fetiales were an ancient Italic institution, and existed not in Rome only but in the kindred Italic states, where they had similar ceremonies. When they went abroad they took with them a clod of turf (*sagmina* or *verbena*) from the *arx*, symbolizing the land from which they came; also a sacred stone (*Iuppiter lapis*) and a sacred wand. — I have ventured to divide the fetial *carmina* into such primitive verses as we must suppose them to have originally consisted of (see Introd. 69), and have made some changes which seemed to recall more nearly their original form. In the books of the fetials of a later day, whence the annalists took them, they had undergone many modifications.

The form for demanding restitution (*rerum repetundarum*, also called *clarigatio*) is from Liv. i. 32: in v. 3 the received text reads *ego sum*, in v. 5 *sit*, in v. 6 *si ego*. **populi Albani**, v. 2, I insert merely by way of example

(*b*.) Audi Iuppiter, [et tu] Iane Quirine,
dique audite omnes caelestes
vosque terrestres vosque inferni.
Ego vos testor populum *Albanum*
iniustum esse neque ius persolvere.

For declaring war.

161. Quod populus Albanus hominesque Albani
in populum Romanum fecerunt deliquerunt,
quod populus Romanus cum populo Albano
duellum iussit esse,
ob eam rem ego populusque Romanus
populo Albano hominibusque Albanis
duellum dico facioque.

(Livy says '*cuiuscumque gentis sunt, nominat*'). The *legatus* who is sent on the mission is a *pater patratus* ('appointed father')—a member of the fetial body set apart to represent the head of the Roman state—accompanied by three other fetials. He uses this formula on arriving at the foreign boundary, and the same, with slight variations, on meeting the first citizen of the foreign state, on entering the city-gate and the market-place. After v. 5 the demands (*postulata*) are recited, and Jove is called to witness the following oath.—If, after thirty days, restitution is not made, the form *b* is used.—**Iane Quirine**: Janus bore the surname *Quirinus* as war-god. The god *Quirinus* was different.—**audite** (v. 2) Livy puts after *inferni*.—After *persolvere* follows: '*Sed de istis rebus in patria maiores natu consulemus, quo pacto ius nostrum adipiscamur*,' which seems to be no part of the original formula.

161. In declaring war, the fetial went to the enemy's boundaries and threw a spear across them in the presence of witnesses, with the above formula, which I give according to Cincius (in Gell. xvi. 4), but with several corrections from Liv. i. 32: in v. 2 both sources give *adversus*, for which I have put *in*; and in v. 4, 7, *bellum*. For *Albanus* Cincius has *Hermundulus*. The last line might possibly have been *purum piumque duellum dico facioque*; see just above in Livy the solemn form of treating the matter in the senate.

162. Liv. i. 24. The head of the college of fetials addresses the king, the form of whose answer (in the affirmative) is not given.—**Rex, iubesne me**: Livy gives *iubesne me, rex*.—After the response **puram tollito**, the fetial fetches the clod from the *arx*, and goes on.—**populi Romani**: Livy adds *Quiritium*, which did not, however, belong anciently in these formulae.

For making a treaty.

162. (*a*.) FET. Rex, iubesne me cum patre patrato
populi Albani foedus ferire?
REX. . . . . .
FET. Sagmina *verbenam* te, rex, posco.
REX. Puram tollito.
FET. Rex, facisne me regium nuntium
populi Romani,
vasa*que mea* comitesque meos?
REX. Quod sine fraude mea populique Romani
fiat, facio.

(*b*.) Audi Iuppiter,
audi pater patrate populi Albani,
audi *et* tu populus Albanus;
ut illa palam prima postrema
sunt recitata sine dolo malo,
utique ea hic hodie sunt intellecta,
illis legibus
populus Romanus prior non deficiet.
Si prior defexit publico consilio
dolo malo, tum illo die, Iuppiter,
populum Romanum sic ferito,
uti ego hunc porcum hic hodie feriam;
tantoque magis *tu* ferito
quanto *tu* magis potes pollesque.

It is absent in *b*, and in Cincius's version of n. 161. — **vasa**: 'equipments,' the *sagmina*, *lapis*, etc. — **sine fraude mea**: see on n. 106, l. 4.

The fetial then appoints a *pater patratus*, and the latter solemnizes the treaty. First he recites the conditions '*longo carmine*'; then, standing over the swine with the sacrificial stone axe in his hand, he proceeds as in *b*. — After v. 4 stands *ex illis tabulis cerave*, which, as Weissenborn remarks, is an addition of later times, when written treaties had taken the place of the ancient verbal ones. — **sunt recitata**: Livy *recitata sunt*, and below *intellecta sunt*. After **hodie** I have omitted *rectissime*. — **defexit** (v. 9) = *defecerit*.

Form of proposing a Ver Sacrum.

163. Velitis iubeatisne haec sic fieri? Si res publica populi Romani Quiritium ad quinquennium proximum steterit *ut* velim, eamque salvam servaverit hisce duellis, tum donum duit populus Romanus Quiritium: quod duellum populo Romano cum Carthaginiensi est, quaeque duella cum Gallis sunt, qui cis Alpes sunt: quod ver adtulerit ex suillo ovillo caprino bovillo grege, quaeque profana erunt, Iovi fieri, ex qua die senatus populusque iusserit: qui faciet, quando volet quaque lege volet, facito; quomodo faxit probe factum esto: si id moritur quod fieri oportebit, profanum esto, neque scelus esto: si quis rumpet occidetve insciens, ne fraus esto: si quis clepsit, ne populo scelus esto, neve cui cleptum erit: si atro die faxit insciens, probe factum esto: si nocte sive luce, si servos sive liber faxit, probe factum esto: si antidea *ac* senatus populusque iusserit fieri, faxitur, eo populus solutus liber esto.

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163. Liv. xxii. 10. Used after the battle at the Lacus Trasimennus 537/217. The *ver sacrum* was an ancient Italic custom. It was vowed when the state was in extreme peril: all the young animals born in a particular season were sacrificed. There are indications that in remote antiquity even the children born shared the same fate. The above is not exactly the form of the vow itself, but the proposal made to the comitia. The language, however, emanated from the pontifices, and consists in great part of pontifical formulae, which betray here and there their ancient verse-form. I follow Weissenborn's text (1877). — **servaverit**: subject is *Iuppiter*, who is named a little below. — **duit**: Introd. 60. — **quod duellum . . . quaeque duella**: these relative clauses define *hisce duellis* above. — **bovillo** (= *bubulo*) is a very rare word. — **quaeque profana erunt**: 'and which shall not have been already consecrated to some other deity.' — **Iovi fieri** is the explanation to *donum* above; *fieri* = *immolari*. — **ex qua die**: the time within which the animals born are to be sacred, is to be fixed by public authority, not left to each individual's preference. — **qua lege** = *quo ritu*: cp. n. 92. — **profanum esto**: 'let it be as if the animal had not been consecrated,' so that the failure to offer it shall be accounted no fault. —

Form of Adrogatio.

164. Velitis iubeatis uti L. Valerius L. Titio tam iure legeque filius siet, quam si ex eo patre matreque familias eius natus esset, utique ei vitae necisque in eum potestas siet uti patri endo filio est. Haec ita uti dixi, ita vos Quirites rogo.

Fragments of the 'Leges Regiae.'

165. Si nurus . . . . . *plorassit*, sacra divis parentum estod.

166. Si parentem puer verberit, ast olle plorassit, puer divis parentum sacer esto.

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rumpet: 'shall injure,' 'mar.' — **clepsit** (= *clepserit*) formed like *faxit*. — **atro die**: 'black days,' on which it was wrong to sacrifice, were especially those following the calends, nones, and ides (*dies postriduani*). — **si . . . sive**: for *sive . . . sive*, as regularly in Plautus and Terence. — **antidea ac** = *antea quam* (*antequam*), *antid* (ablative) being the older form of *ante*. So *antidhac* in Plaut. — **faxitur** = *factum erit*; passive of *faxit*. Cp. *mercassitur*, n. 152.

164. Gellius, v. 19. *Adrogatio* was the adoption, with his own consent, of an adult who was *sui iuris*, and was accomplished by an act of the *comitia curiata*, according to the above form. — **endo** = *in*.

165. The 'laws' ascribed by tradition to this and that king are in reality legal and religious maxims, of great antiquity, so far as their contents are concerned, but of uncertain origin. The oldest collection of them bore the name of Papirius. In so far as they embody actual ancient formulae, they were certainly once versified. But they had at an early time been freely modernized. This first fragment is in Festus, p. 230. There is a gap of several words; *plorassit* is inferred. Compare the next. Both laws punished maltreatment of parents. — **estod**: Introd. 62.

166. Fest., ibid. — **verberit**: pres. indic. of an otherwise unknown **verberire* = *verberare*. For the tense see on n. 171. — **ast**: 'and if,' introducing a second condition. — **olle**: Introd. 49. — **plorassit**: Introd. 59: *plorare* meant in old Latin 'cry out.' — **sacer esto**: this implied originally actual slaying as a sacrifice to the god: later a kind of outlawry, in which any one might lawfully kill the offender. — **divis**: tutelary or family gods.

167. Vino rogum ne respargito.

168. Paelex aram Iunonis ne tangito; si tanget, Iunoni crinibus demissis agnum feminam caedito.

169. (*a.*) Si hominem fulmen Iovis occisit, ne supra genua tollito.

(*b.*) Homo si fulmine occisus est, ei iusta nulla fieri oportet.

170. Cui suo auspicio classe procincta opima spolia capiuntur, Iovi Feretrio bovem caedito, et darier *aeris trecentos* oporteat. *Cuius auspicio classe procincta* secunda spolia *capta*, in Martis aram in campo solitaurilia, utra voluerit, caedito;

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167. Plin. H. N., xiv. 12. Attributed to Numa, as are also the next five. — **respargito** = *respergito*. Cp. *aspargit*, Lucr. i. 719.

168. Festus, p. 222: Gell. iv. 3. — **paelex**: 'concubine,' of a married man. — **Iunonis**: *Lucina*, guardian of married women.

169. Fest., p. 178. One of the many superstitious observances connected with lightning. — **fulmen Iovis**: the ms. *fulminibus*. — **occisit** = *occiderit*: Introd. 59. — **ne . . . tollito**: 'let no one raise him higher than the knees.' He must be lifted as little as possible from the ground, and buried on the spot, without funeral rites (**iusta**). The man was thought to have been accursed, as stricken down by Jove in his wrath.

170. Fest., p. 189, where it is badly muddled. Luckily the substance of the law is known from Plutarch, Marc. 8. I give it nearly according to Hertzberg's emendation, who, with one or two transpositions, some additions, and the change of *cuius* to *cui suo* at the beginning, has produced the requisite sense. **Opima spolia** are obtained when the Roman commander kills the leader of the enemy in single combat: the victor gets for this a reward of 300 *asses*. **Secunda** and **tertia spolia** are evidently taken, presumably from the hostile leader, by some other person than the commander, but by whom we do not know; for these a reward of 200 and 100 *asses* respectively is given. In all three cases the commander, under whose auspices the victory was gained, performs the proper sacrifices. — **cui** = *a quo*. — **classe procincta**: 'with army girded' for battle (with the *cinctus Gabinus*); that is, in regular pitched battle. 'Army,' not 'fleet,' is the older meaning of *classis*. — **Iovi Feretrio**: whose temple was on the Capitol: cp. Liv. i. 10. — **darier** (Introd. 64): sc. *ei*. — **trecentos**:

qui cepit aeris ducentos *dato*. Cuius auspicio *classe procincta* tertia spolia capta, Ianui Quirino agnum marem caedito; centum qui ceperit ex aere dato. Dis piaculum dato.

171. Si qui hominem liberum dolo sciens morti duit, paricidas esto.

172. Si quisquam aliuta faxit, ipsos Iovi sacer esto.

173. Duomviri perduellionem iudicent: si a duomviris provocarit, provocatione certato: si vincent, caput obnubito, infelici arbori reste suspendito, verberato vel intra pomoerium vel extra pomoerium.

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sc. *nummos*. — **solitaurilia**: the same as *suovitaurilia*. The name (from the old adjective *sollus*) signifies a sacrifice of 'whole' (i.e., uncastrated) animals,—bull, ram, and boar.— **utra voluerit**: either the *maiora*, of adult animals, or the *lactentia*, of sucklings: cp. n. 153, v. 20.— (*ei*) **qui cepit**: 'to him who took them let him (the commander) give,' etc. — **Ianui**: *Ianus* seems here an *u*-stem, *Ianu-*. But very likely *Ianuo* should be read. Cp. *ianua*, *Ianuā-rius*. For *Ianus Quirinus* see on 160 (*b*). — **dis piaculum dato**: these words are uncertain and obscure.

171. Fest., p. 221. — **qui** = *quis*. — **duit**: the present indicative of a rare verb, **dŭĕre* = *dare*. Cp. n. 182, 204, and Liv. x. 19, 17. *Duim*, Introd. 60, is subjunctive of the same. In these ancient laws the present indicative is often used in the condition, where later usage would demand the future or future perfect. See n. 174, and others following. So Plaut. Trin. 156, *si . . . revenit, reddam suom sibi*. — **paricidas**: survival of nominative *-s* with a masculine *a*-stem. So *hosticapas*, '*hostium captor*,' in Festus. These isolated forms are the only instances.

172. Fest., p. 6. — **aliuta** = *aliter*. Cp. *i-ta*. — **ipsos** = *ipsus*, *ipse*.

173. Liv. i. 26, where it is called 'lex horrendi carminis.' — **Duomviri**: appointed by the king. — **certato**: by a trial before the *populus*. — **infelici arbori**: probably locative. A barren tree, accursed and belonging to the nether gods. — **verberato**: of course before the execution, but the scourging is mentioned last, as of less importance. — This *carmen* was certainly in rhythm, possibly somewhat as follows: *Duomviri iudicent perduellionem: si is provocarit provocatione certato: si vincent duomviri caput obnubito; infelici arbori reste suspendito, verberato virgis vel intra pomoerium vel extra pomoerium.*

Fragments of the Laws of the Twelve Tables.

I.

174. Si in ius vocat, ito. Ni it, antestamino, igitur em capito. Si calvitur pedemve struit, manum endo iacito. Si morbus aevitasve vitium escit, iumentum dato: si nolet, arceram ne sternito.

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174. The Twelve Tables, the first regular code of written law which the Romans had, date from 303/451 (the decemviri; the last two tables were added the following year), and were based upon the older unwritten and imperfectly formulated laws of custom, introducing, however, some innovations. The laws were written on twelve tablets of bronze, but it is doubtful whether these originals survived the capture of the city by the Gauls, 364/390. The scanty existing fragments have been much modernized; their distribution among the different tables is far from certain. The standard critical edition is R. Schoell's, 1866, which I have followed in the main, giving of course only such fragments as contain connected words of the Tables themselves.

Preliminaries to the trial. The first step is the summoning of the adversary to go before the magistrate (*in ius vocare*). — **vocat, ito**: note the absence of pronouns, as usual in these laws, often verging on obscurity. In some places explanatory words and clauses, out of keeping with this brevity of diction, have been interpolated: see below, and n. 176, 179. The imperatives in these laws are always of the *third* person. — **antestamino**: Introd. 63: 'let him call the bystanders to witness' that force is necessary. How this was performed the student will remember from Hor. Sat. i. 9, 76. — **igitur**: 'then.' — **em**: 'him.' Introd. 47. — **si calvitur . . . struit**: 'if he shirks or runs away' (?). What *pedem struere* was, the ancients themselves did not know, but on the whole thought it to mean 'run away.' Can it be 'brace the feet,' like one resisting a pull? — **endo iacito** = *inicito*, but not yet fused into a compound. A greater degree of force seems to be implied than in *capito*. — **Si morbus**, etc.: if the defendant is ill or decrepit, the plaintiff must provide a vehicle, but this need not be a covered carriage unless he chooses. — **aevitas** = *aetas*. — **vitium**: 'hindrance.' — **escit** = *est*: for **es-scit*, an inceptive present-formation, not yet, as in Lucretius, with a distinct future meaning. After *escit* Schoell has removed the interpolation *qui in ius vocabit*. — **iumentum**: 'team,' implies here, as often in our parlance, some sort of vehicle. — **arceram**: a covered carriage, with a pallet for lying down. — **ne sternito**: 'he need not spread' unless he chooses. — The three parts of this fragment are in Porphyr. ad Hor. Sat. i. 9, 70; Fest., pp. 310, 210; Gell. xx. 1, 24, respectively.

175. Adsiduo vindex adsiduos esto, proletario iam civi quis volet vindex esto.

176. Rem ubi pacunt, orato. Ni pacunt, in comitio aut in foro ante meridiem caussam coiciunto. Com peroranto ambo praesentes. Post meridiem praesenti litem addicito. Sol occasus suprema tempestas esto.

II.

177. . . . morbus sonticus . . aut status dies cum hoste . . quid horum fuit vitium iudici arbitrove reove, eo dies diffensus esto.

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175. Gell. xvi. 10, 5. 'The *vindex* of a property-holder must be a property-holder; but whoever chooses can be *vindex* to a man without property.' **vindex**, 'claimant,' 'interferer,' 'protector,' is here one who voluntarily agrees to go before the magistrate as the representative of the defendant, and thereby takes upon himself the action in the stead of the latter. For the *vindex* at another stage of proceedings, see n. 179. — **adsiduos**: 'permanent settler,' and so 'land-holder,' 'tax-payer,' — belonging to one of the five upper Servian classes. The **proletarius**, on the other hand, is a *capite census*, one of the sixth or lowest class. — **quis volet**: see n. 80 and note.

176. Partly Rhet. ad Her. ii. 13, 20; partly Gell. xvii. 2, 10. The trial. 'Where they (the litigants) compromise the matter, let him (the magistrate) announce it. If they do not compromise, let them state briefly each his own side of the case, in the comitium or the forum, before noon. (Afterwards) let them talk it out together, while both are present. (In case either party has failed to appear) after noon, let the magistrate pronounce judgment in favor of the one who is present. (If both are present) the trial may last till sunset, but not later.' — **pacunt**: Ter. Scaurus and Quintilian both read this *c* as *g*. Still it is not quite certain whether this old present (cp. n. 193) was *păg-o* (root as in *pango, pepigi*) or *păc-o* (root as in *păc-iscor*). — **com** = *cum;* adverbial. — Before **sol** stands the interpolation *si ambo praesentes.* — **occasus**: the (rare) participle: 'the set sun' = sunset: cp. *ante solem occasum*, Plaut. Epid. i. 2, 41. — **suprema tempestas**: 'the latest hour' for holding court.

177. **sonticus**: from *sons;* 'hurtful,' and so 'serious.' — **status dies**: 'appointed day' for a trial. — **cum hoste**: 'with a foreigner': the original meaning of *hostis.* — **quid** = *quidquid.* — **vitium**: as in n. 174. — **arbitro**: see note on *recuperatorem*, n. 103, l. 4. — **reo**: *reus* in the older language meant either of the litigants, whoever is involved in a *res;* cp. Cic. de Orat. ii. 79. — **eo**: 'on this account.' — **diffensus**: from **diffendo;* 'put

178. Cui testimonium defuerit, is tertiis diebus ob portum obvagulatum ito.

III.

179. Aeris confessi rebusque iure iudicatis XXX dies iusti sunto. Post deinde manus iniectio esto. In ius ducito. Ni iudicatum facit aut quis endo eo in iure vindicit, secum ducito, vincito aut nervo aut compedibus, XV pondo ne minore aut si volet maiore vincito. Si volet suo vivito. Ni suo vivit, libras farris endo dies dato: si volet plus dato.

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off.' If judge or either of the litigants is ill or has a judicial appointment with a foreigner, the trial is to be postponed. — This fragment is put together from Gell. xx. 1, 27; Cic. de off. i. 12; Fest., p. 273.

178. Fest., pp. 233, 375. He whose witness has failed to appear may summon him by loud calls in front of his house (*obvagulatio*) every third (?) day. — **defuerit**: future perfect. — **tertiis diebus** is most naturally taken as *tertio quoque die*, but very likely means 'every other day,' after the old-fashioned way of counting. — **portum**: according to Festus means 'house,' perhaps rather 'doorway.' — **obvagulatum**: supine. The verb points to a noun **vāgulus*. The root is of course the same as in *vāg-īre*.

179. Execution for debt. 'One who has confessed a debt, or against whom judgment has been pronounced, shall have thirty days to pay it in. After that, forcible seizure of his person is allowed. The creditor is to bring him before the magistrate. Unless he pays the amount of the judgment, or some one in the presence of the magistrate (**in iure**) interferes in his behalf as *vindex*, the creditor is to take him home, and fasten him in stocks or fetters. He is to fasten him with not less than fifteen pounds of weight, or, if he choose, with more (?). If the prisoner choose he may furnish his own food. If he does not do this, the creditor must give him a pound of meal daily: if he choose he may give more.' Gellius, xx. 1, 45. — **aeris . . . sunto**: the meaning is clear, but the text is questionable: as it is, genitive and dative stand parallel; 'thirty days shall be the lawful limit *of* an acknowledged debt and *for* matters that have been decided.' Schoell brackets *rebusque iure* so as to construe, 'for those who have been condemned in an acknowledged debt.' — **endo eo** (= *in eo*): 'over him,' 'in his behalf': cp. *in ea glaeba vindicarent*, Gell. xx. 10, 9. — **vindicit**: probably present indicative of a **vindicīre* = *vindicare*: cp. *verberit*, n. 166. A *vindex* interfering at this stage of the proceedings, could stay the execution, but he became responsible for double the amount in case the cause on rehearing was decided against him. — **nervo**: Festus defines, 'ferreum

180. Tertiis nundinis partis secanto. Si plus minusve secuerunt, se fraude esto.

181. Adversus hostem aeterna auctoritas *esto*.

IV.

182. Si pater filium ter venum duuit, filius a patre liber esto.

V.

183. Uti legassit super pecunia tutelave suae rei, ita ius esto. Si intestato moritur cui suos heres nec escit, adgnatus

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vinculum quo pedes impediuntur, quamquam Plautus eo etiam cervices vinciri ait.' — **minore** and **maiore** should very probably be exchanged, so as to make the limitation in the prisoner's favor. — **libras . . . endo dies**: 'pounds day by day,' i.e., 'a pound every day.' Before *libras* was interpolated *qui eum vinctum habebit*, which Schoell removed.

180. Gell. xx. 1, 49. **Tertiis nundinis**: the prisoner was to be confined sixty days, and on the last three market-days he had to be brought before the magistrate to give an opportunity for any one to redeem him. At the end of that time his person was forfeited to the creditor or creditors, who might kill him and *divide his body* among them. The ancients agree in explaining **partis secanto** in this way (*partis* is of course accusative), though they add that no actual case of the kind was ever known. In point of fact this right was waived, and the debtor sold into slavery. (Some modern scholars understand *secanto* of a division of *goods*.) — **plus minusve**: than each one's share. — **se fraude**: see on n. 151.

181. Cic. de off. i. 12. 'Against a foreigner the right in property shall be everlasting,' meaning that a foreigner can never acquire a right by mere undisturbed occupation for any time (*usucapio*).

182. Ulp. fr. x. 1, Gaius i. 132. — **venum duuit** = *venum dat, vendit*. Pres. indic., cp. n. 171. The *uu* for *ū*, supposing that the spelling is right; but the form is not to be depended on, the chief ms. having *davit*. A father, by virtue of the *patria potestas*, could sell his son, who thereby became the *mancipium* of another. If emancipated, he fell back into the *potestas* of his father again. But if this was repeated, at the third *emancipatio* he was free.

183. Ulp. fr. xi. 14. The validity of wills. — **legassit**: for the earliest time *legare* and *testari* must be understood of verbal wills. — **tutela suae rei**: of course in case the heirs are minors. — **ita ius esto**: 'so let it be binding.' — **intestato**: impersonal abl. absolute, like *inconsulto, necopinato*. — **nec escit** = *non est*. On *escit*, see n. 174, and note: *nec* = *non*,

proximus familiam habeto. Si adgnatus nec escit, gentiles familiam habento.

184. Si furiosus escit, adgnatum gentiliumque in eo pecuniaque eius potestas esto.

185. . . . . ast ei custos nec escit, . . .

VI.

186. Cum nexum faciet mancipiumque, uti lingua nuncupassit, ita ius esto.

187. Si in iure manum conserunt . . . .

188. Tignum iunctum aedibus vineave e concapit ne solvito.

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as in *neg-lego*, etc. — **adgnatus**: a blood-relation through males — brother or sister, brother's son, etc. — less comprehensive than *cognatus*. — **gentiles**: all of the same *gens*.

184. Cic. de inv. ii. 50. — **furiosus** implies a greater degree of madness than *insanus*. — **adgnatum**: gen. plur.

185. Fest., p. 162. Schoell inserts this in the preceding fragment, after *escit*.

186. Fest., p. 173. — **nexum**: 'bond'; an obligation putting the maker in the position of a *iudicatus* or judgment debtor. — **mancipium**: 'conveyance' of property. — **nuncupassit** is to be understood of the formal declaration of the contract before witnesses, which in early times took the place of a written document. — **ita ius esto**: as n. 183.

187. Gell. xx. 10, 8. — *Manus conserere* was a symbolical act, one of the preliminaries to an action concerning property. It was the formal claiming of the disputed object by both parties: both laid hands on it at the same time and pronounced certain formulae: it had to be done in the presence of the magistrate (**in iure**), who in early times, when land was in dispute, went to the spot for the purpose; later, a clod (*glaeba*) from the piece of land was brought into court. On the basis of this the magistrate appointed a day for trial. — **Si in**: so Schoell; Gellius *si qui in*.

188. Fest., p. 364. A stolen beam which has been built into a house or a vineyard-trellis must not be dislodged by the owner: the law allowed him, however, an action for double the amount. — **aedibus vineave**: the

189. . . . quandoque sarpta donec dempta erunt . . .

VII.

190. Viam muniunto: ni sam delapidassint, qua volet iumenta agito.

191. Si aqua pluvia nocet . . . .

VIII.

192. Qui malum carmen incantassit . . . .

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rather rare ablative with *iungere*. — **e concapit**: Festus's text *et concapit*, for which Schoell *e concapi;* but I have retained *-t* as ablative case-ending, = later *-d;* cp. n. 157 (*a*). No such word as *concapes* or *concape* is known, but it might mean 'socket' or 'surrounding.' Still the reading is very uncertain. Huschke's correction *si concapit* (= *concipit*), 'if the owner discovers it,' is not bad.

189. Fest., p. 348. — 'whenever they have been pruned, until they have been gathered,' namely, the grapes. Supply *vina;* cp. *vin-demia*, 'vintage.' The reference seems to be still to the stolen beam, which must be left in the vine-trellis between pruning-time and vintage. But the words are obscure, and have been variously interpreted. — **sarpta**: from *sarpĕre*, a rare verb, whence *sarmentum*, 'twig,' 'brushwood.'

190. Fest., p. 371, according to Mommsen's emendation. The reference is to *viae privatae*, where one owns a right of way over other men's land. The latter must make the road and keep it in order, else the former is not bound to keep to it, but may drive his team where he likes. — **sam** (= *eam*): from the rare pronoun-stem *so-, sa-* (= *ŏ-, ă-*): Introd. 50. Only accusative-forms are known: *sum, sam, sos, sas*, all in Ennius. — **delapidassint**: 'have paved it'; from Festus we have the gloss '*delapidata, lapide strata.*'

191. Pompon. in Dig. xl. 7, 21. An action might be brought against a neighbor for damage occasioned by any acts of his which interfered with the natural drainage of the land.

192. Plin. N. H. xxviii. 2, 17. The reference is to evil spells or incantations. There was also a law against libel, — which is also called by writers *malum carmen* or *famosum carmen*, — and for this the verb used in the XII Tables was '*occentassit.*'

193. Si membrum rupsit, ni cum eo pacit, talio esto. Manu fustive si os fregit libero CCC, *si* servo, CL poenam subito. Si iniuriam faxsit, viginti quinque poenae sunto.

194. Qui fruges excantassit . . .

195. Si nox furtum faxsit, si im occisit, iure caesus esto.
Si luci . . . si se telo defendit . . . endoque plorato.

196. Si adorat furto, quod nec manifestum erit, *duplione damnum decidito.*

197. Patronus si clienti fraudem fecerit, sacer esto.

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193. The three parts from Gell. xx. 1, 14 (and Fest., p. 177); Paul. in Collat. leg. Mos. et Rom. ii. 5, 5; Gell. xx. 1, 12. — **membrum**: any limb or organ (as an eye). — **rupsit** (Introd. 59): 'maimed': cp. *rumpet*, n. 163. — **pacit**: cp. n. 176. — **talio**: the retaliation, according to Cato, devolved on the next of kin. — **os fregit**: as this was not a permanent injury, the punishment was less. — **iniuriam**: this includes assaults and insults. Schoell removed the interpolation *alteri* after this word. — **viginti quinque**: *asses*, and so above. — **poenae**: nom. plur.

194. Plin. N. H. xxviii. 2, 17. — **excantassit**: 'has charmed away' another's crops by magic spells. Comp. Verg. Ecl. viii. 99; Ovid. Am. iii. 7, 31, for allusions to this superstition.

195. Macrob. Sat. i. 4, 19; Cic. pro Tull. 47 and 50; cp. Fest., p. 309. — **nox**: adverb, = *noctu*. This strange form occurs again in a verse of Ennius, *si luci*, *si nox*, etc. (Ann. 412, Vahlen). It is difficult to explain. Bücheler thinks it a genitive, for *noctis*, **nocts*. — **im** (Introd. 47) is the regularly formed accusative of *i-s*. — A robber by day-time one might kill only in case he used a weapon, but first one must call for help; for this the direction was **endo plorato**, that is, *implorato* = *conclamato*.

196. Fest., p. 162: 'If any one has recourse to process of law, in case of a theft which is not *manifest*, let the thief settle the damage by paying double.' — **adorat**: 'pleads the case,' '*causam agit*,' instead of privately settling with the thief. — **nec** = *non*. — **manifestum** *furtum*: where the thief is caught in the act. *Manifestus*, 'hand-struck,' 'grasped with the hand.' The penalty for a *furtum nec manifestum* was much less severe than that for a *furtum manifestum*.

197. Serv. ad Aen. vi. 609. — **sacer esto**: see on n. 166.

198. Qui se sierit testarier libripensve fuerit, ni testimonium fariatur, inprobus intestabilisque esto.

199. Si telum manu fugit magis quam iecit . . . .

X.

200. Hominem mortuom in urbe ne sepelito neve urito.

201. Hoc plus ne facito : rogum ascea ne polito.

202. Mulieres genas ne radunto, neve lessum funeris ergo habento.

203. Homini mortuo ne ossa legito, quo post funus faciat.

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198. Gell. xv. 13, 11. — **testarier**: passive, 'be summoned as a witness,' corresponding to the active *testare* (cited by Priscian). — **libripens**: a sale (*mancipium*, see n. 186) had to be consummated in the presence of five witnesses and a 'weigher': the latter held the scales while the purchaser touched them with a copper coin; this act symbolized the former actual weighing-out of the price, at a time when as yet there was no coined money. — **fariatur**: present indicative from an otherwise unknown *fāriāri*, 'speak,' derived, according to Corssen, from the noun-stem *fārio-* contained (with somewhat changed meaning) in *ne-fārius*. Schoell changes to **fatiatur*, comparing *infitiari*. — **inprobus**: 'marked,' 'noted as dishonest.' — **intestabilis**: incapable of acting again as a witness.

199. Cic. pro Tull. 51 (cp. Top. 17). Accidental homicide. Note the sudden change of subject, first *telum* and then the man.

200. Cic. Leg. ii. 23. Observe that burning is already introduced at Rome, though burial was the ancient Roman custom.

201. Cic. ibid., who adds several other interesting particulars of the sumptuary laws by which the Twelve Tables sought to repress undue splendor of funerals. — **ascea**: elsewhere *ascia*. The funeral-pile is not to be hewn smooth with an axe.

202. Cic. ibid. — **lessum**: 'wailing'; occurs nowhere else. (In Plaut. Truc. 4, 2, 18, *paucam* is now restored.)

203. Cic. ibid. 24. Bones are not to be taken up (after burying or burning) to be interred again with a second funeral ceremony. The law went on to make an exception in favor of those who were killed in war or

204. Qui coronam parit ipse pecuniave eius *honoris* virtutisve ergo, *si* arduuitur ei . . . .

205. . . . . neve aurum addito. Cui auro dentes iuncti escunt, ast im cum illo sepeliet uretve, se fraude esto.

XII.

206. Si servos furtum faxit noxiamve noxit . . . .

207. Si vindiciam falsam tulit, sive litis . . . *prae*tor arbitros tris dato, eorum arbitrio . . . fructus duplione damnum decidito.

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died abroad. Of course this did not forbid the simple taking up of the ashes to be placed in an urn. — **quo** = *ut*.

204. Plin. N. H. xxi. 3, 7. — **parit**: 'obtains,' as a prize in public games or otherwise. — **pecunia**: 'chattel'; as a horse or a slave which he might send to compete in the games. Nominative case: 'whoever wins a crown himself, or a chattel of his (does it for him)'; the relative clause continued by a demonstrative. — **honoris** and **si** Schoell inserts. — **arduuitur** = *additur:* see n. 171, and for the double *u* on n. 182. — There followed *parentive eius, se fraude esto*, or something similar, as we know from Cic. Leg. ii. 24: 'if the crown is placed on his head or on his parent's (when either is buried), it shall not be a crime.'

205. Cic. Leg. ii. 24. Gold is not to be buried or burned with the corpse; but gold used for fastening teeth is excepted. Probably gold wires are to be understood. Primitive dentistry wired loose teeth to the solid ones, and false teeth may have been attached in like manner. — **escunt**: see on *escit*, n. 174. — **im**: as n. 195.

206. Ulp. in Dig. ix. 4, 2, 1. — **noxiam**: cognate accusative. — **noxit** = *nocuerit*. — In the case supposed, the master had to make restitution, or to give up the offender (*noxae dedere*) to the aggrieved person.

207. Fest., p. 376. — **si vindiciam**, etc.: 'if any one has obtained any thing by falsely claiming it.' — **sive litis**: text is incomplete and meaning uncertain: others read *si velit is*. — **praetor**, if right, means consul, magistrate; praetors in the later sense did not exist till 388/366. — **tris** = *tres*. — **fructus . . . decidito**: 'let him pay damages for its use meanwhile in double the amount.'

Lex Silia de ponderibus publicis.

208. Ex ponderibus publicis quibus hac tempestate populus oetier solet, uti coeretur se dolo m(alo), uti quadrantal vini octoginta pondo siet; congius vini decem p(ondo) siet; sex sextari congius siet vini, duodequinquaginta sextari quadrantal siet vini; sextarius aequos aequo cum librario siet; sexdecimque librari in modio sient. Si quis magistratus adversus hac d(olo) m(alo) pondera modiosque vasaque publica modica minora maiorave faxit iussitve fieri, dolumve adduit quo ea fiant, eum quis volet magistratus multare, dum minore parti familias taxat, liceto; sive quis in sacrum iudicare volet liceto.

Proverbs and Saws.

209. Ne pómum éx aliéno légitó in ármum.

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208. Fest., p. 246, where the text is in sad condition; but most of the emendations which I have admitted are tolerably certain. The date of the law has been put at 510/244, but this is not certain. — **oetier** = *ūti:* cp. n. 105, l. 9. — **coeretur** (*cūretur*): Huschke's emendation for *coaeguetur.* — **se** = *sine.* — **aequos aequo**: a pleonasm like *par pari* and the like. Equality of capacity is meant. — **librario**: by *librarius* is evidently meant the *dry* sextarius, but why it is so called I cannot tell. Perhaps because its weight, in flour and other substances commonly measured by it, would be roughly a pound. — **adversus hac**: cp. n. 80. — **modica**: apparently 'smaller' than the modius, — sextarii and the rest. — **iussit**: future perfect; cp. *iusso*, Verg. Aen. xi. 467. — **adduit** = *addit:* cp. n. 171. — **quis volet**: as in n. 80. — **minore parti**: perhaps *minorem partim.* In the same phrase, n. 103, l. 12, the genitive is used. — **in sacrum iudicare**: Wordsworth explains, 'assign the amount to the sacred treasury,' instead of the aerarium, where fines ordinarily went.

209. Fest., p. 4. "Legibus etiam Laurentum sanctum est, ne pomum ex alieno legatur in armum"; whence this Saturnian is easily reconstructed. In **légito** a short thesis (n. 74, v. 4). The direction is, in brief, not to carry off one's neighbor's fruit by the armful; the taking of single apples, pears, etc., being permissible.

210. Hiberno pulvere verno luto
grandia farra, camille, metes.

211. Postremus loquaris, primus taceas.

212. Lálla lálla lálla, aút dormí aut lácte.

213. (*a.*) Réx erit qui récte faciet, quí non faciet nón erit.
(*b.*) Hábeat scabiem qúisquis ad me vénerit novíssimus.

214. Terrá pestém tenéto, sálus híc manéto.

215. Huat hanat huat; ista pista sista;
domiabo damna ustra. [et luxato.]

216. Quamvis monentium duonum negumate.

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210. Fest., p. 93. A dry winter and a wet spring make a large harvest. — **camille**: 'boy.' — The verses are hardly Saturnians, but rather such as in n. 153 and flg.: Introd. 69.

211. Mallius Theodorus de metris, p. 95, Heusinger. Attributed to Marcius the *vates:* see on n. 216.

212. Schol. Persius, iii. 16. A lullaby. It is a Saturnian lacking the first syllable.

213. Reconstructed from Schol. Hor. Epist. i. 1, 59, and Ars poet. 417. Two ditties used in boys' games. — The **rex** is the captain or chief of the players. — **Habeat**, etc.: for racing; 'Devil take the hindmost.' The goal itself speaks. — Both verses are trochaic, a popular rhythm.

214. Varro, R. R. i. 2, 27. Charm against foot-ache. The sufferer is to sing it thrice nine times, to touch the ground, and to spit. The verse is Saturnian; but in **sălus** again a short thesis.

215. From Cato, R. R. 160, I extract the least nonsensical of several *cantiones* for sprains and fractures, which seem even as Cato wrote them to have become already mere jargon. — **ista pista sista**: *istam pestem sistam* (?). — **domiabo damna ustra**: *domabo damna vostra* (?). — See Plin. N. H. xxvii. 12, 106, for another spell against diseases.

216. Fest., p. 165, as part of a *carmen* by Marcius, a *vates* of indistinct personality, to whom were attributed various prophecies current as early as the Hannibalic war. Corssen gave **monentium** for *moventium:* 'How-

Verses from old Triumphal Inscriptions.

217. Fundít fugát prostérnit máximás legiónes.

218. Duelló magnó diriméndo, régibús subigéndis.

219. Summás opés qui régum régiás refrégit.

220. Magnúm numerúm triúmphat hóstibús devíctis.

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ever well they may advise, refuse them.' The genitive (if right) must be explained by supposing the sentence incomplete. — **duonum**: cp. n. 75. — **negumate** = *negate*. — There were many collections of such *vaticinationes*, partly very old, bearing the names, some of Faunus, Carmentis, and others of Publicius and Marcius. We know that they were chiefly or altogether in Saturnian or Saturnian-like rhythm. The specimens in Liv. v. 16 and xxv. 12 show evident traces of such rhythm, but are too much modernized to have any linguistic interest.

217. Atilius Fortun. (or Caesius Bassus), p. 2679 P., p. 265 K. This and the following three verses are from Saturnian inscriptions set up on the Capitol in commemoration of triumphs. The first is from that of M'. Acilius Glabrio, who triumphed over Antiochus 564/190.

218. Ibid. From the tablet of L. Aemilius Regillus, who defeated the fleet of Antiochus 564/190, and triumphed the following year. More of the inscription, but in a very corrupt state, Liv. xl. 52. — **duello** = *bello*. — **regibus**: Antiochus, his son Seleucus, and Ariarathes, king of Cappadocia.

219. Atil. Fort., p. 2698 P., p. 294 K.

220. Censorinus, spurious treatise, p. 615 K. — **triumphat**: 'leads in triumph.'

INDEX.

References to the text are by *number* or *number and line:* as aiquom, 82 [26].

References to the notes are by *page* (marked *p.*): as *apparitores*, p. 50.

By *passim* (*pass.*) is meant that a word or form occurs repeatedly in the number or numbers indicated.

This index does not include, (1) nominatives plural in *-ei*, datives and ablatives plural in *-eis;* (2) genitives singular in *-ei* for *-ī;* (3) accusatives plural in *-īs* or *-eis;* (4) infinitives passive in *-ei;* (5) final *-os* and *-om* after *u* or *v;* (6) final *-m* omitted; nor, in general, (7) cases of double consonants written singly, — unless the forms are otherwise noteworthy.

aa, 106 II [29].
aara, 92.
abdoucit, 74.
abei, 138.
Ablatives in *-d*, 10, 63, 64, 66, 69, 73, 80, 82 *pass.*, 84, 150 *pass.*, p. 21.
Ablatives in *-ei*, 77, 104 [6 37].
Accusative in works of art, p. 18.
Accusative sing. (nomin. sing. neut.) of *o*-stems in *-om* or *-om* (not after *u*, *v*), 13, 19–27 *pass.*, 44, 49, 50, 61, 67, 70–72, 75, 78, 83, 104 [14 20 23], 141, 150.
Aciles, p. 17.
Acmemeno, p. 17.
adduit, indic., 208.
adeitur, 122.
adessint, p. 69.
adgnatus, -um, 183, 184.
adiese, 82 [7].
adieset, -ent, 82 [8 17].
adiouta, 112.
adpatula, 157.
adrogatio, p. 81.
adsiduos, p. 85.
advocapit, 149.
Aecetiai, 19.
aes Martium, p. 32.
aevitas, 174.
af, 100, 105 [11], 118.
afleicta, 111.
aidem, 75.
aidiles, sing., 75.
aidilis, -es, aid., 68, 74, 75, 79, 103 [15], 120.
Aimilia, -ius, 81, 97.
aiquom, 82 [26].
aire, 66.
airid, p. 21.
Aisclapi, 27.
Aiserninom, gen. plur., 11, 13.
Aiserniom, gen. pl., 12.
Alcumena, 38.
alius for *alter*, p. 62.
aliuta, 172.
Alixentrom, 44.
altod, 150 [10].
ambarvalia, p. 70.
Amucos, 37.
Anavis, 125.
antestamino, 174.
antidea, 163.
Antiocom, 78.
Aorist forms, p. 69.
Apeninum, appellative, 104 [18].
Apolenei, 46.
Apolenes, 68.
Apolinei, 95.
Apolone, -ei, 66, 72.
apparitores, p. 50.
apstulit, 139.
Aquinom, gen. plural, 16.
arbiter, p. 37.
arbitratuu, 104 [26].
arduuitur, 204.
arf*uerunt*, 82 [2].
arf*uise*, 82 [21].
arvorsum, -sum, 80, 82 [24].
ascea, 201.
asenam, p. 75.
ast, 'and if,' 166, 185, 205.
Ateleta, p. 17.
ater dies, p. 81.
attigat, p. 69.
averruncus, *-are*, p. 71.
axamenta, p. 74.

bacanal, -ibus, 82 *pass.*
bacas, 82 [7].
balinearium, 117.
basilica, p. 59.
Belolai, 20.
Benventod, 10.
berber, 149.
bovillo, 163.

C for *g*, 33, 34, 39, 150 *pass.*, 176, 193.
C. l., 139, 145.
Caecilis, 127.
Caiatino[m], gen. plur., 15.
Caicilius, -io, 101, 104 [28], 137.
cailavit, 40.
Calebus, 31.
calecandam, 117.
calendae, calare, p. 75.
camille, 210.
Campania, political condition of, p. 54.
Canoleios, 30.
cante, 157.
Capital punishment, p. 31.
captom, 150 [13 14 15].
caputalem, 82 [25].
Cartaciniensis, 150 [9 18].
Cartago, p. 69.
Casentera, p. 17.
castellum, p. 27.
Castorus, 103 [17].
castud, 73.
cau*l*as, 106 II [41].
caussa, -am, 86, 176.
cavitum, p. 69.
ceivis, 82 [7].
censōr, 74, 75.
cepet, 150 [5].
Cererus, 108.
cerus, 157, p. 75.
cesor, 75.
Cesula, 47.
Char*tago*, p. 69.
clases, -eis, 150 [7 8].
classis 'army,' p. 82.
clepsit, 163.
Cloul*i*, 136.
clovacas, 120.
clarigatio, p. 77.
coemise, 157.
Coerae, 21.
coeraverunt, coer., 119, 120.
coeravit, 143.
coeretur, 208.
Cognate accus., free use of, p. 47.
coiciunto, 176.
coiraverunt, -re, 107, 108, 121.
coiravit, coir., 113, 117.
collegia, in Campanian *pagi*, p. 54; of fetials, p. 77. See *sodalitates*.
com, 176.
comfluont, 104 [13].
comitia calata, p. 75.
comoine*m*, 82 [11].
Compagei, 109.
composeiverunt, 104 [2].
comvalem, 104 [8].
comvovise, 82 [13].
concapit, 188.
conctos, 149.
condumnari, 103 [10].
conflovont, 104 [23].
coniourase, 82 [13].
coniunxs, 141.
conlegium, -io, 109.
conleibertus, 141.
conpromesise, 82 [14].
conquaeisivei, 100.
consol, 58, 74, 75, 84, 85, 87, 150 [6].
consolto, 101.
consoltu, p. 21.
consoluerunt, 82 [1].
conspondise, 82 [13].
controversis, 104 [45].
controvorsieis, 104 [1].
controvosias, 104 [2].
coraveron*t*, 65.
Corinthus, masc. (?), p. 34.
Corinto, 98.
Corniscae divae, p. 33.
Cosentiam, 100.
cosentiont, 75.
cosol, 59, 75.
cosoleretur, 82 [6 9 18].
Covella, 158.
coventionid, 82 [22].
Coza, Cozano[m] (?), 4.
Crisida, p. 17.
culignam, 154 *a*.
culina, public, p 59.
cume, 157.
cusianes, 157.

danunt, 111.
daps, dapalis, p. 72.
darier, 170.
datai, 82 [29].
Dative sing. of *a*-stems in *-a*, 48, 50, 55, 90, 91; in *-ai*, 34, 70, 71, 73.
Dative sing. of consonant-stems in *-ē*, 50, 53, 56, 61–63, 72, 75, 88, 90, 91, 110.
Dative sing. of consonant and *u*-stems in *-ei*, 46, 74, 83, 85, 92–96, 103 [26], 105 [12], 106 II [34], 110, 111, 114.
Dative and Ablative plur. of *o*-stems in *-ēs*, 57, 104 [39], 136.
Dea Dia, p. 65.
decemviri stlitibus iudicandis, p. 26.
decemviri sacris faciundis, p. 26.
decoraat, 139.
decreivit, 81.
Dectuninebus, 104 [39].
decuma, -am, 99, 111, 112.
decuriae of *apparitores*, p. 50.
deda, 50.
dederi, 68.

dederont, 66.
dedet, -et, 48, 62–64, 75.
dedier, 160 *a*.
dedro, dedrot, 49, 50.
deferre, 'report,' p. 51. See *testimonium*.
defexit, 162 *b*.
deicerent, 82 [4].
deicito, 103 [3].
deico, 138.
deiva, deives, 55, 57.
deixerit, 103 [23].
deixsistis, 105 [5].
Dekembres, 128.
delapidassint, 190.
***den*ontiari**, 103 [3].
Dentistry, ancient, p. 92.
detolerit, p. 69.
devas Corniscas, 94.
devotio, p. 76.
dextumum, 157.
Diane, dat. sing., 47.
dictatored, 150 [10].
difeidens, 111.
diffensus, 177.
Diopantus, 109.
Diovis, Diovei, Diovem, 42, 73, 97, p. 22.
dismota, 82 [30].
Dissimilation, pp. 26, 29.
dixserunt, 104 [3].
domneis, p. 69.
dorsum, 104 [9 20].
duellum, -o, -a, -is, 163, 218, p. 23.
Duelonai, 82 [2].
duis, subjunct., 153 [14].
duit, indic., 171.
duomvires, 119.
duonorom, 75.
duonus, -um, 157, 216.
duoviri iure dicundo, p. 60.
duoviri, mint-masters, p. 16.
duuit, indic., 182.

ead, 82 [24].
ee, 141.
eeis, nom. plur., 82 [4].
eeis, dat. ablative plural, 82 [5 25].
ei, spurious diphthong, pp. 25, 33, 35, 42, 47, 62, 63.
eidem, nom. sing., 100, 141.
eidem, nom. plur., 108, 120.
eidus, eidibus, 104 [4 44], 125, 126, 128, 133, 134.
eiei, p. 69.
eieis, 105 [11 12].
eis, nom. plural, 103 [16], 104 [29].
eisdem, nom. plur., 118, 119.
eitur, 117.
em, 'him,' 174.
emeru, 89.
empta, 157.
en, 104 [12], 150 [5].
endo, 164, 174, 179.
enos, 149.
Eppuleiai, 142.
Erucinae, 114.
escit, 174, 183, 184.
escunt, 205.
estod, 80, 165.
excantassit, 194.
exdeicatis, 82 [22].
exdeicendum, 82 [3].
Execution for debt, p. 86.
exemet, 150.
exfociont, 150.
exsigito, 103 [9].
exstrad, 82 [16 28].

faato, 141.
facere, fieri, 'sacrifice,' p. 72.
facilumed, 82 [27].
facitud, 73.
faenisicei, 104 [37].
famã, nom. sing., 76.
fameliai, 70.
familias, 103 [12], 164, 208.
fariatur, 198.
faxit, 80, 163, 172, 206, 208.
faxitur, 163.
faxseis, 99.
faxsit, 193, 195.
fecei, 100.
fecid, 34.
feida, 141.
Feronia, dat. sing., 48.
Feroniai, 123.
fetiales, p. 77.
figier, 82 [27].
fileai, 34.
fineis, -is, nom. plural, 104 [3 6 13].
flovi, nom. plur., 104 [23].
floviom, 104 [23].
flovium, -io, 104 *pass*.
fluio, 104 [9].
foedesum, p. 75.
foideratei, 82 [2].
Folvius, 102.
fontei, abl., 104 [6].
formã, nom. sing., 74.
Fortune, dat. sing., 64.
Fourios, 63, 64.
Freedman of two masters, p. 55.
Freedman takes master's gentilician name, p. 17.
frui with accus., p. 45.
fruimino, 104 [32].
fu, 149.
fuēt, 75.
fugiteivos, 100.
fūit, fuīt, 74.
fundare for *fundere*, p. 26.
fundatid, 80.
fuueit, 144.

Genitive sing. of *a*-stems in *-ai*, 19, 20, 23, 82 [2], 123, 138, 142; in *-ais, -aes*, 42, 145, p. 18.
Genitive sing. of conso-

nant and *u*-stems in *-os*, *-us*, *-es*, 25, 68, 82 8 17 21, 103 12, 105 2, 107, 108, 113, 115.
Genitive plural of *o*-stems in *-om* or *-o^{m}*, 1–16 *pass.*, 75, 157; in *-um*, 82 7, 104 32; 184; in *-orom*, 150 10.
Genitive plural of consonant-stem in *-om*, 35.
genteiles, 92.
Gentile names in *-ās*, *-ātis*, p. 42.
Gentilician names from praenomina, pp. 48, 21.
gesistei, 76.
Gnaivod, 74.
gnatus, -os, 77, 78, 138.
gnoscier, 82 27.
grandire, intransitive, p. 71.

haace, 103 12.
hace, 103 7.
haice, 82 22.
hance, 103 8 23 25.
hau, 138.
hec, 75.
heic, 100, 111, 138, 140, 144–146.
heice, 143.
heicei, 136.
heisce, nom. plur., 107, 108.
Hercele, 41.
Hercolei, 83, 111.
Hercules's tithe, pp. 34, 57.
Her*i*, praenomen, 61, 62.
Heruc*inae*, 115.
Hiatus, pp. 24, 57.
hince, 100.
Hinnad, 84.
Hinoleio^{s}, 72.
hisce, nom. plur., 104 13.
hoce, 80, 82 26, 123.
hoice, 103 26.
honc, 75.
honos, 76, 77.
horunc, 138.
Hyperarchaisms, p. 67.

ibei, 82 20 28, 104 *pass.*
-idus, adjectives in, p. 59.
iei, 67, 106, I. 7.
igitur, 'then,' p. 84.
im, 195, 205.
Imperatives in *-d*, 80, 165.
Imperatives in *-mino*, 104 32, 172; origin of, p. 46.
incantassit, 192.
inceideretis, 82 26.
Indigetes, *di*, p. 77.
indoucebamus, 105 6.
indoucere, 105 13.
indoucimus, 105 10.
infera, 117.
Infinitives passive in *-ier*, 76, 82 27, 160, 170, 208.
infumo^{m}, infumum, 104 10 14 20.
iniourias, 104 43.
inpeirator, 81.
inperium, 103 16 19.
intercalaris mensis, p. 56.
interk*alares*, 134.
inveisa, 139.
ipsos, 172.
Italici in Sicily, 86, 100.
itus actusque, p. 60.
ium, 80.

Ianuaris, 104 35.
Ianui, 170.
ioubeatis, 82 27.
ioudex, 103 15.
ioudicatod, 80.
ioudicaverit, 103 20.
ioudicetur, 103 10.
ioudicio, 103 2.
iouranto, 103 16 17 24.
iourarint, 103 21.
iouraverit, 103 19.
iouserunt, 104 4.
iousiset, 82 9 18.
iousit, 81, 117.
Iovei Compagei, 109.
Ioviae, 107.
Iovos, 36.
iudex, p. 37.
iudicare = *iudex esse*, p. 41.
iudik*andis*, 79.
iusit, iuserunt, 101, 104 3.
iussit, fut. perf., 208.
iussitur, p. 69.
iuus, 106 I 30, II 27.

Kaili*us*, 128.
Kastorus, 105 1.
Keri, 22.
Koranom, gen. plur., 3.

lacte, 212.
Laudicaes, 145.
Lavernai, 23.
Lavis, p. 17.
Lebro, 54.
leciones, 150.
leege, 92.
leegei, 103 20.
legassit, 183.
Leiber, Leiberi, 36, 113.
leiber*arei*, 104 44.
leiberei, 81.
leibereis, nom. plur., 111.
leibertate, 139.
leibertus, 110.
leibravit, 147.
*li*breis, 147.
lessum, 202.
Leucesie, 157.
lexs, 103 12.
librarius, p. 92.
*li*cetod, 80.
Licnia, 129.
Locative in *-ai*, 34.
loebesum, p. 27.
loidos, 107, 108.
Loucanam, 74.
loucarid, 80.

Loucina, 52, 90.
Loucinai, 73.
lub*ens*, 113.
lube*n*tes, 111.
Luciom, 75.
Lucius, 74.
luem, 149.
lumphieis, 116.
Luqorcos, 39.
lustratio agri, p. 70.
luuci, 103 [4].
lux, masculine, p. 38.

m final not counted in scanning, p. 24.
Maarco, 137.
macistratos, 150.
Macolnia, 34.
macte esto, p. 71.
magisteratus, 80.
magistere, 65.
magistreis, 107, 108.
magistri, officers of guilds, pp. 29, 54.
Malios, 67.
Mamullai, 142.
mancipium, ceremony of, p. 91.
manum, gen. plur., 80.
manum iniectio, pp. 27, 86.
manus, 'good,' p. 75.
manus consertae, p. 88.
Marcelus, 87.
Marcius, *vates*, p. 94.
mareitum, 138.
Marica, dat. sing., 55.
marid, 150 [6 10].
Marmar, Marmor, 149.
Mars, god of husbandry, p. 71.
Marsuas, 40.
matrona, nom. plur., 49, 50.
Matuta, dat. sing., 50.
Maurte, 63.
Mavortei, 93.
maximos, 150.
maxsume, 111.
med, 34.
meilia, 100.
Melerpanta, 45.
meliosem, p. 75.
Menerva, -vai, 36, 71.
Menolavi, 146.
mercassitur, p. 69.
Mercuris, 36.
mereta, -to, -to*d*, 75, 111, 117.
meritod, 69.
mieis, 79.
mihe, 143.
miliarios, 100.
militare, nom. masc., 63, 64.
Min*ati*, praenomen, 121.
Minucieis, nom. plural, 104 [1].
Mirqurios, 44.
Mistakes of gravers and stone-cutters, pp. 16, 43, 44, 46, 48, 61, 63, 64, 68.
mitat, 104 [31].
moincipieis, p. 69.
moiro, moiros, 121.
moltare, 80.
moltaticod, 66.
monimentum, 147.
multam inrogare, p. 39.
multam petere, p. 38.
Municipal magistrates, p. 60.
Muucio, 104 [5 29 37].

naatam, 141.
navaled, 150 [17].
navebos, 150 [6 8].
nec for *non*, 183, 196.
necesus, 82 [4].
negumate, 216.
nei, *ni*, and *ne*, p. 28.
nei, 103 [5 10], 104 [6 32 36]
Neicia, 139.
neiquis, 82 [3].
neive, 103 *pass.*, 104 [34].
Neuter plural in -*ā*, 76.
nexum, p. 88.
ni, 103 [20].
niquis, niquem, 104 [30 34 40], 106 II [14].
nisei, 82 [8 16 21].
nive, 104 [32 34 40].
Noem*ōres*, 124, 130.
nomen Latinum, p. 29.
Nominative singular of *a*-stems in -*ā*, 74, 76, 77.
Nominative singular of *o*-stems in -*os* or -*os* (not after *u*, *v*), 17, 28–44 *pass.*, 48, 57–72 *pass.*, 74, 75, 124, 172, 150 *pass.*; in -*is* (for -*ios*), 36, 40, 125, 127.
Nominative plural of *a*-stems in -*a*, 49, 50; in -*ai*, 82 [20], 96.
Nominative plural of *o*-stems in -*ē*, 65, 75, 102; in -*ēs*, -*eis*, -*ɔs*, 60, 104 [1 35 37 38 42], 107, 108, 111, 119.
Nominative plural of *i*-stems in -*īs*, -*eis*, 104 [6 13 28].
nominitata, 141.
nominus, 82 [7].
nondin*um*, 103 [31].
nontiata, 105 [5].
nostrorum = *nostrum*, 159.
Nouceriam, 100.
noundinum, 82 [23].
Novensides, *Novensiles*, *di*, p. 77.
Novesede, 57.
nox = *noctu*, 195.
noxit, 206.
nuges, abl. plur., 136.
nuncupassit, 186.
nuntius, etymology, p. 37.

obvagulatum, 178.
occasus, partic., 176.

occisit, 169, 195.
oetantur, oeti, p. 49.
oetier, 208.
oina quom, p. 25.
oino^{m}, 75.
Oinomavos, 45.
oinumama, p. 17.
oinuorsei, 82 ^{19}.
oitile, 105 ^{9}.
olle, 166.
olleis, 106 I ^{5}.
olorom, 150 ^{10}.
omniā, 76.
opima spolia, p. 82.
oportet me aliquid fieri, p. 48.
opos, 29.
oppedeis, p. 69.
oppodum, p. 69.
opsequens, 139.
opsides, 74.
optenui, 79.
optinebit, 106 I $^{2\ 3}$.
optinui, 139.
*o*quoltod, 82 ^{15}.
oqupatum, p. 69.
ornavet, 150 ^{7}.
ossiva, 133.
ossua, 140.
ou, sign for *ū*, p. 21
Ouf*entina*, 28.

paastores, 100.
pacit, pacunt, 176, 193.
Painiscos, 40.
Paistanom, gen. plur., 9.
*Pa*le, 91.
Paperius, 102.
parentatid, 80.
pariat, 103 ^{10}.
paricidas, 171
parisumā, nom. sing., 74.
partim, 68, p. 93.
partis secanto, p. 87.
partus, 103 ^{12}.
patrē, abl., 74.
patria potestas, p. 87.
patronus municipi, p. 60.
Patronymics, Ligurian, p. 48.
patrus, 113.
pedem struere, p. 84.
pellige, 138.
pequlatuu, 106 I ^{5}.
pequniam, 103 ^{9}, 104 $^{25\ 26}$, 106 I $^{3\ 6}$, 109.
Perfect, first pers. sing. in *-ei*, 78, 100.
Perfect, third pers. sing. in *-ēt* (*-et*), 48, 62–64, 75, 104 ^{28}, 150 *pass.*; in *-eit*, 98, 104 ^{28}, 144; in *-it*, 74, 75.
Perfect, third pers. plur. in *-ront*, 65, 66, 157; in *-rot* (*-ro*), 49, 50; in *-ru*, 89; in *-ri*, 68.
Personal construction for impersonal, p. 53.
Pesceniaes, 145.
petiei, 79.
Philematiom, 141.
Pilipus, 40.
Pilonicus, 39.
pilumnoe poploe, p. 75.
Pisaureses, 49.
Pl*autus*, praenomen, 71.
plebei scitum, distinguished from *lex*, pp. 38, 50.
plebi, gen. sing., 103 ^{15}.
pleores, 149.
ploirume, 75.
plorassit, 166.
plouruma, 136.
plous, 82 $^{19\ 20}$.
plusima, p. 75.
pocolom, -o^{m}, 19–27.
Poenicas, 150 ^{8}.
Poenicio, p. 68.
Pola, praenomen, 50.
polcer, p. 62.
Polio, 143.
Polouces, 37.
polouctam, 111.
Popaio^{s}, 57.
Pop*li*, 57.
poplici, -co, -cae, -cum, -cam, -ce, -cas, 100, 103 $^{2\ 3\ 4\ 11}$, 104 $^{13\ 23\ 25\ 27\ 35\ 37}$, 105 ^{8}, 123.
poplicod, 82 ^{15}.
poplom, 150 ^{17}.
poplus, 81.
popolum, 103 ^{14}.
populus and *plebs* distinguished, p. 40.
por-, *pos-*, prepos., p. 35.
porca praecidanea, p. 72.
Portunalia, p. 61.
potior, 'fall into hands of,' p. 64.
potisit, 82 ^{27}.
posedet, -eit, 104 ^{28}.
poseivei, 100.
posidēt, 77.
possitur, p. 69.
poublicom, 67.
poumilionom, 35.
praedad, 150 ^{17}.
Praenomina of women, p. 19.
praescriptio of a *lex*, p. 49.
praetor = *consul*, p. 92.
praevides, p. 39.
praidad, 63, 64.
praitores, 89.
preivatod, 82
Prepositions as proclitics, p. 42.
Prepositions as adverbs, pp. 84, 85.
Present indic. in future conditions, p. 83.
primos, nom., 150 $^{6\ 7}$.
principium in the *comitia tributa*, p. 50.
privicloes, p. 75.
proboum, etc., 8, 10.
profanus, p. 80.
prohibessis, 153 ^{10}.

proiecitad, 80.
promenervat, p. 75.
Pronouns omitted in XII Tables, p. 84.
Prosepnais, 42.
Provincial Latin, pp. 19, 20, 27, 47, 65.
proxsimum, 123.
proxsumeis, 103 [14 16 23].
*p*ucnandod, 150 [5].
pulcrai, 138.
Pulio [3], 17.
*P*utio, 95.

quairatis, 77.
quaist*or*, 78.
quaistores, 66, 67.
quasei sei, 103 [12], 106 I [39], II [3], 109, p. 39.
quattuorviri iure dicundo, p. 60.
quei, 74, 76, 77, 81, 82 [2 4 24], 103 *pass.*, 104 *pass.*, 105 [8], 106 *pass.*, 112, 136.
queique, 103 [14].
queiquomque, 103 [5], 106 II [19 22].
ques, nom. plur., 82 [3 24].
qui = *quis*, 171.
quid = *quidquid*, 177.
quiquam = *quisquam*, 82 [12].
quis = *quisquis*, 80, 175, 208.
quius, 144.
*q*um, 121, 141.
quoi, 104 [44].
quoiei, 77.
quoium, 156 [1].
quoius, 74, 106 II [17], 153 [4].
quom, 137, 157 *a*.
quom, prepos., 77, p. 25.
quom causal with indic., p. 49.
quonque, 105 [12].
quosquequomque, 106 II [10].
quosquomque, 106 II [7].
qura, 137.

r dropped before *s*, p. 42.
rccuperatores, p. 37.
redidei, 100.
redieit, 98.
Regium, 100.
respargito, 167.
restitistei, 137.
Retus, 31.
Romai, 34.
rue[m], 149.
Rufeis, 104 [1].
rupsit, 193.

S. = *Spurius*, 82 [1], 105 [3].
S. = ½, 118.
s for *r* preserved, pp. 66, 75.
s final neglected in versification, p. 34.
sacer esto, p. 81.
Saeturni, 24.
Sale (*mancipium*), p. 90.
Salutes, 25.
sam, 190.
sarpta, 189.
scibamus, 105 [6].
scribendo adesse, p. 28.
se, sed = *sine*, 151, 152, 180, 205, 208.
sed, acc., 82 [13 14], 103 [21].
seedes, 117, 137.
seese, 103 [18 25].
sei, 76, 80, 82 [3 24 28], 103 *pass.*, 104 *pass.*, 106 I [40], II [3], 109.
Seispitei, 110.
seive, 80, 103 [8], 109.
semol, 111.
semunis, 149.
senati, 101, 104 [4].
senatorbus, 82 [6].
senatu, gen. sing. (?), 117.
senatuei, 105 [12].
senatuos, 82 [8 17 21 23].
sententiad, 82 [8 17 21].
servassis, 153 [13].
setius, 104 [26].
Short thesis in Saturnians, p. 24.
Shortening of long syllables in Plautine verse, p. 23.
si deus, *si dea*, 73.
sibei, 79, 82 [4], 148.
sibei read *sĭbĭ*, p. 26.
sicare, sicet, 104 [40 41].
sient, 82 [30], 208.
sierit, 198.
sies, 153 [2], 155 *a*, *b*, 156 [9].
siet, 103 [21], 104 [6], 156 [2 6], 164, 208.
sine fraude sua, p. 51, cp. 151, 152, 162 *a*.
singolos, 104 [28].
sins, 149.
siremps, 103 [12], 106 I [38], II [1].
siris, 153 [12], 160 *a*.
Sisipus*s*, 120.
situst, 136.
sl*itibus*, 79.
sodalitates, pp. 65, 74.
soledas, 117.
solitaurilia, p. 82.
sont, 117.
sonticus, 177.
soveis, 136, 147.
sovo, 138.
sovom, p. 61.
Sta*tius*, praenomen, 48.
stircus, 80.
Stolen beam, p. 88.
subigĭt, 74.
Sumptuary laws, p. 91.
suprad, 82 [21 24 29].
sursuorsum, 104 [14].
Surus, 121.
suso vorsum, 104 [7].
susum, 104 [7 8 15].

tabelai, 82 [29].
tabelarios, 100.

tabolam, 82 [26].
taboleis, 103 [21 30].
tam quasei sei, 109.
taxat, 208.
taxsat, 103 [12].
teatro, 109.
Teiburtes, 105 [3].
Telis, 38.
Tempestatebus, 75.
Temples of Castor and Saturn, p. 40.
Ter*etina*, 133.
termina, 104 [8].
Terminalia, p. 56.
terrā, nom. sing., 76.
Teses, p. 17.
testare, p. 90.
testarier, 198.
testimonium dicere, deferre, denuntiare, p. 37.
testumonium, 103 [3].
tet, 157.
Tetio[s], 48.
Theft, p. 90.
Third person sing. in *-āt*, 139; in *-ēt*, 77.
Third person plural in *-ont* (not after *u*, *v*), 65, 66, 75, 117, 150, 157.
Tianom, gen. plur., 14.
tibe, 76.
tibei, 99, 157.
tibei read *tibĭ*, p. 34.
tonaront, 157.
tov*am*, 112.
tremonti, 157.
tresviri a. i. a. or *a. d. a.*, pp. 36, 38.
tresviri capitales, p. 38.
tresviri reficiendis aedibus, p. 32.
Tribe, designation of, p. 16.
triresmos, 150 [12].
tris, 207.
triumpe, 149.
triumviri, see *tresviri*.
Tulius, 89.
Tuscolana, dat. sing., 90. 91.
Twelve Tables, history of; interpolations in; p. 84.

ubei, 82 [5 27], 104 [4 23], 117.
ultuma, 144.
utei, 81, 82 *pass.*, 104 [33], 105 [4 10], 106 *pass.*, 109.
utei with subjunctive in command, p. 30.
utier, 76.
utor with accus., p. 46.
uv avoided, p. 43.

Vaarus, 117.
Va*lesi*, praenomen, 68.
vasa, 'equipments,' p. 79.
vastitudinem, 153 [8].
vaticinationes, p. 94.
vecos, p. 19.
vectigal, masc., 104 [6].
Vediovei, 92.
veiginti, 139.
veitae, 139.
veivont, 148.
veixsit, 141.
Velena, p. 17.
Venerei, 114.
Venerus, 107, 115.
Venos, 42, 43.
venum duuit, 182.
ver sacrum, p. 80.
verberit, 166.
Vertuleieis, nom. plur., 111.
Vibis, 40.
vicensumam, 104 [27].
vicesma[m], 68.
victoriati nummi, p. 45.
viduertatem, 153 [8].
vincoleis, 104 [43].
vindex, p. 85.
vindicit, 179.
virtutei, abl., 77.
vitā, nom. sing., 77.
vitium, 'hindrance,' p. 84.
Vitoria, 43.
vobeis, 82 [29], 105 [5 8 11].
vocitatust, 104 [17].
vorsu[m], 118.
vorsus, set nom., p. 40.

Wills, verbal, p. 87.

z, obsolete letter, p. 15.

KEY TO THE INSCRIPTIONS.

CI.	Remnants.
1	1
2	2
5	17, 18
10	5
12	3
14	4
15	6, 7
16	8
17	9
19	10
20	11, 12, 13
21	14, 15, 16
28	149
29	74 (*a*)
30	74 (*b*)
31	75 (*a*)
32	75 (*b*)
33	76
34	77
35	78
38	79
40	58
41	59
42	60
43	19
44	20
45	21
46	22
47	23
48	24
49	25
50	26
51	28
52	29
54	34
56	41
57	42
58	43
59	44
60	45
62	61, 62
63	63
64	64
73	65
166	70
167	46
168	47
169	48
170	51
171	52
172	53
173	49
174	54
175	55
177	50
178	57
179	56
181	66
185	67
187	68
190	69
191	71
195	150
196	82
197	103
198	151
199	104
200	152
201	105
202	106
530	84
531	85
533	86
539	87
541	98
542	99
548 *b*	101
551	100
554	102
562	95
565	107
566	108
571	109
638	88
807	92
808	93
814	94
831	124
832	125
835	126
842	127
844	128
892	129
909	130
916	131
942	132
957	133
970	134
981	135
1006	137
1007	138
1010	140
1011	141
1046	142
1049	143
1051	144
1110	110
1143	118

CI.	Remnants.
1148	89
1149	119
1166	117
1175	111
1178	120
1194	139
1200	90
1201	91
1212	145
1213	146
1215	122
1230	121
1238	116
1258	147

CI.	Remnants.
1271	148
1290	112
1291	123
1297	136
1434	97
1435	96
1469	113
1475	114
1495	115
1503	83
5041	81
Eph. Epigr.	
5	27
7 *a*	30

Eph. Epigr.	Remnants.
8 *a*	31
9	32
18	37
20	35
21	36
22	38
23	39
24	40
198	80
PLM. Suppl.	
ii., p. 12	73
iii., p. 1	72
Philologus.	
37, p. 175	33

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